

28th August, 1933

LEGISLATIVE ASSEMBLY DEBATES

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(22nd August to 4th September, 1933)

SIXTH SESSION

OF THE

FOURTH LEGISLATIVE ASSEMBLY,
1933



NEW DELHI
GOVERNMENT OF INDIA PRESS
1934

24-8-33
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Legislative Assembly.

President :

THE HONOURABLE SIR SHANMUKHAM CHETTY, K.C.I.E.

Deputy President :

MR. ABDUL MATIN CHAUDHURY, M.L.A.

Panel of Chairmen :

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MR. K. C. NEOGY, M.L.A.

SIR LESLIE HUDSON, KT., M.L.A.

SIR ABDULLA-AL-MAMUN SUHRAWARDY, KT., M.L.A.

Secretary :

MIAN MUHAMMAD RAFI, BAR.-AT-LAW.

Assistant of the Secretary :

RAI BAHADUR D. DUTT.

Marshal :

CAPTAIN HAJI SARDAR NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Public Petitions :

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MR. B. SITARAMARAJU, M.L.A.

MR. GAYA PRASAD SINGH, M.L.A.

KUNWAR HAJEE ISMAIL ALI KHAN, O.B.E., M.L.A.

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LEGISLATIVE ASSEMBLY.

Monday, 29th August, 1933.

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. President (The Honourable Sir Shanmukham Chetty) in the Chair.

MEMBER SWORN.

The Honourable Sir George Schuster, K.C.S.I., K.C.M.G., C.B.E., M.C. (Finance Member).

QUESTIONS AND ANSWERS.

IMPORT AND EXPORT OF CERTAIN COMMODITIES SINCE THE RATIFICATION OF THE OTTAWA PACT.

69. *Sardar Sant Singh : (a) Will Government be pleased to state the quantity of the following commodities that were exported to Great Britain since the ratification of the Ottawa Pact by this House and also the quantities exported in the same period of the previous year to Great Britain :

Wheat, oil seeds, jute, tea, rice, cotton, coffee, steel and hides ?

(b) What was the effect of the Pact on the export of these commodities to countries other than Great Britain during the same period ?

(c) Will Government be pleased to state the quantity of imports from Great Britain into India during the same period before and after the Pact of the following goods :

Piece-goods, machinery, motor cars and chassies, cinema-films, woollen goods and photographic materials ?

The Honourable Sir Joseph Bhoré : (a) and (c). I lay on the table two statements containing the information asked for.

(b) Another statement is laid on the table showing India's total exports of the commodities mentioned to countries other than United Kingdom. It is however too early to draw any conclusions as to the effect of the Ottawa Trade Agreement.

(.245.)

Statement showing the exports from British India to the United Kingdom of the commodities mentioned below during the five months January to May, 1932 and 1933.

Commodities.	1932.	1933.
	Five months from January to May.	Five months from January to May.
Wheat	<i>Nil.</i>	<i>Nil.</i>
Oil-seeds—		
Non-essential Tons.	47,609	40,658
Jute, raw „	20,531	59,809
Jute, Gunny bags No.	19,490,900	16,698,142
Jute, Gunny cloth Yds.	23,863,156	26,498,986
Tea Lbs.	48,603,025	60,779,633
Rice (not in the husk) Tons.	36,767	212,988
Cotton, raw „	10,909	22,867
Coffee Cwts.	49,960	44,868
Iron or Steel—		
Pig Tons.	36,778	28,586
Bars* „	..	3,933
Hides and Skins, raw „	2,116	2,326
Hides and Skins, Tanned or dressed „	6,419	5,716

*Separately recorded from April, 1933. Figures for 1933 are for two months April and May.

Statement showing imports from the United Kingdom to British India of the articles mentioned below during the five months January to May, 1932 and 1933.

Articles.	1932.	1933.
	Five months from January to May.	Five months from January to May.
Cotton piecegoods including fents .. Yds.	201,895,075	254,886,068
Machinery and Mill work .. Rs.*	3,56,19,812	3,05,00,050
Motor Cars .. No.	982	2,538
Chassis† No.	448	305
Cinematograph films raw and exposed .. Length in ft.	2,350,857	4,188,112
Woollen piecegoods Yds.	557,780	831,505
Photographic instruments and apparatus Rs.* other than cinematograph films.	5,22,071	6,10,790

*Quantity not recorded. Value is stated.

†Representing chassis of motor omnibuses only.

Statement showing exports from British India of the commodities mentioned below to the following countries during the five months January to May, 1932 and 1933.

Commodities and Countries.	1932.	1933.
	Five months from January to May.	Five months from January to May.
	Tons.	Tons.
Wheat.		
Arabia	693	51
Other countries*	645	623
Oil-Seeds (non-essential).		
<i>Oastor-seed.</i>		
France	6,500	3,454
U. S. A.	14,739	7,557
<i>Groundnuts.</i>		
France	118,944	93,016
Netherlands	31,444	21,871
Germany	34,363	17,966
Italy	29,896	17,170
<i>Linseed.</i>		
France	8,637	9,637
Germany	2,284	3,150
Italy	4,300	4,468
Australia	4,611	3,234
A. Jute, raw.		
Germany	36,316	45,366
France	17,319	33,912
Spain	16,949	17,580
Italy	21,115	20,827
U. S. A.	7,861	21,594

* "Other countries" mean countries other than those mentioned and the United Kingdom.

Commodities and Countries.	1932.	1933.
	Five months from January to May.	Five months from January to May.
<i>A. Jute, raw—contd.</i>	Tons.	Tons.
Belgium	9,322	15,062
Japan	6,219	5,906
Netherlands	3,243	8,382
Brazil	6,961	7,927
Australia	290	465
Other countries* ..	14,204	14,982
<i>B. Jute (Gunny Bags).</i>	Nos.	Nos.
Straits Settlements	5,605,600	7,102,806
China	8,951,400	5,187,000
Egypt	5,643,150	4,737,400
Union of South Africa	9,127,606	7,588,000
Canada	370,900	708,859
United States of America	10,428,500	5,863,000
Australia	17,149,714	15,910,722
Other countries*	71,351,954	71,348,505
<i>C. Jute (Gunny Cloth).</i>	Yds.	Yds.
Phillippines	4,279,000	7,439,400
Canada	20,495,965	25,946,531
United States of America	254,362,030	247,965,053
Argentina	25,743,500	61,434,000
Australia	10,049,642	9,506,134
Other countries*	18,182,398	26,282,856

* " Other countries " mean countries other than those mentioned and the United Kingdom.

Commodities and Countries.	1932.				Five months from January to May.	1933.	Five months from January to May.
<i>Tea Black.</i>					Lbs. (millions).	Lbs. (millions).	
United States of America	2.66	4.09	
Canada	3.65	4.49	
Ceylon	1.06	1.37	
Egypt	1.22	0.43	
Australia	0.94	0.58	
Persia	0.71	0.77	
Arabia	0.87	0.35	
New Zealand	0.35	0.38	
Other countries*	3.81	3.07	
<i>Rice.</i>					Tons.	Tons.	
Germany	150,433	109,633	
Ceylon	165,575	166,050	
Straits Settlements	79,788	65,787	
China	368,234	129,915	
Canada	4,760	5,117	
Australia	2,272	1,502	
New Zealand	642	1,237	
Other countries*	428,349	306,611	
<i>Cotton, Raw.</i>					Tons (000).	Tons (000).	
Japan	68.7	153.8	
China	14.7	18.5	
Germany	9.0	17.1	
Italy	6.8	15.3	

* "Other countries" mean countries other than those mentioned and the United Kingdom.

Commodities and Countries.	1932. Five months from January to May.	1933. Five months from January to May.
<i>Cotton, Raw—contd.</i>	Tons (000).	Tons (000).
France	4.7	13.7
Belgium	6.6	10.9
Other countries*	7.28	12.397
<i>Coffee.</i>	Cwts.	Cwts.
Norway	4,145	3,625
Netherlands	4,025	3,205
Germany	13,075	8,532
France	28,014	44,316
Other countries*	20,195	20,000
<i>Iron or Steel.</i>		
<i>Pig.</i>	Tons.	Tons.
Germany	3,233	1,892
China	4,020	9,895
Japan	77,714	61,388
United States of America	16,677	27,173
Other countries*	4,916	6,908
<i>Hides and Skins (Raw).</i>		
(A). <i>Goat Skins.</i>		
Netherlands	352	337
France	160	415
United States of America	4,310	3,872
Australia	169	128
(B). <i>Sheep Skins.</i>		
France	12	19
Italy	66	324

* "Other countries" mean countries other than those mentioned and the United Kingdom.

Commodities and Countries.	1932. Five months from January to May.	1933. Five months from January to May.
<i>Hides and Skins (Raw)</i> —contd. (C). <i>Buffalo Hides.</i>	Tons.	Tons.
Germany	165	149
Bulgaria	67	62
Greece	44	243
(D). <i>Cow Hides.</i>		
Germany	642	1,868
Netherlands	284	673
Spain	572	348
Italy	1,151	1,519
Greece	82	411
<i>Hides and Skins (tanned or dressed).</i>		
(A). <i>Cow Hides.</i>		
Hong Kong	9	3
(B). <i>Goat Skins.</i>		
United States of America	8	1
(C). <i>Sheep Skins.</i>		
Straits Settlements	31	24
Japan	275	172

BEGGARY IN INDIA.

70. *Mr. Lalchand Navarai : (a) Are Government aware that beggary has very much increased in India and is generally causing a nuisance ?

(b) Will Government be pleased to state if there has been or is any project with the Government of India to checkmate beggary ? If so, will Government be pleased to make a full statement on the subject ?

The Honourable Sir Harry Haig : (a) The statistics of the 1931 census suggest that the number of beggars in India has decreased since 1921.

(b) The answer to the first part is in the negative, the subject being one for legislation by Local Governments. The second part does not arise.

BEGGARS ON THE STATION PLATFORMS OF STATE RAILWAYS.

71. ***Mr. Lalchand Navalrai :** (a) Are Government aware that beggars are allowed on the station platforms almost on all State Railways to beg from the travelling public and that they become very importune and exhibit their disabled bodies and limbs to the annoyance of the public ? If so, is this allowed by any rule or regulation or is it done by the connivance of the station staff ?

(b) What steps do Government propose to take in order to eradicate this sort of evil ?

Mr. P. R. Rau : (a) On most railways there is, I understand, a definite order prohibiting beggars being given access to station platforms and railway premises.

(b) Government are not aware that there is any chronic breach of this order. If the Honourable Member will kindly let me know at which stations or on which railways this order is systematically disregarded, the attention of the Agent or Agents concerned will be drawn to the irregularity.

DEVICES ADOPTED BY CERTAIN PERSONS TO EVADE THE CHILD MARRIAGE RESTRAINT ACT.

72. ***Mr. S. C. Mitra** (on behalf of Mr. Bhuput Singh) : (a) Will Government be pleased to state whether their attention has been drawn to the peculiar devices adopted by certain persons to evade the Sarda Act by resorting to Chandernagar and Indian States simply for a day for the actual performance of the marriage after performing other ceremonies in British India ?

(b) Do Government contemplate to make suitable amendments in the Act to remove anomalies by preventing such evasions ?

The Honourable Sir Harry Haig : (a) No.

(b) The answer is in the negative.

RETENTION OF THE POST OF THE EDUCATIONAL COMMISSIONER IN THE FUTURE CONSTITUTION OF INDIA.

73. ***Mr. S. C. Mitra** (on behalf of Mr. Bhuput Singh) : (a) Will Government be pleased to state whether it has been finally decided to retain the post of the Educational Commissioner in the future constitution of India ?

(b) If so, will the post be filled by an Indian or otherwise ?

(c) Are Government aware that there is a strong feeling in the country that the next vacancy should be filled by an Indian ?

Mr. G. S. Bajpai : (a) and (b). Whether the post will be retained after the new constitution comes into force is a question which must be left to the Government set up by the new constitution. The present

Government of India propose to retain the post and to appoint to it an officer possessing wide educational experience.

(c) No.

REPAYMENT OF 4 PER CENT. CONVERSION LOAN.

74. *Mr. S. C. Mitra (on behalf of Mr. Bhuput Sing) : (a) With reference to the recent communiqué notifying repayment of 4 per cent. Conversion Loan at par of 1916-17 with all interest due up to date, on 1st July, 1933, will Government please state why the loans carrying higher interest rates, e.g., six per cent. 1930-33 Bonds, are not being paid up earlier ?

(b) What is the total amount of rupees which will be required for repayment of this loan ?

(c) Has the attention of Government been drawn to the recent resolution passed at the Behar Chamber of Commerce regarding their loan policy in this country as compared with that in England and criticisms in the Press with regard to it ?

(d) Do Government propose in future to take the advice of the Legislative Assembly before issuing any fresh loan or notifying the repayment of a previous loan ?

(e) Is there any proposal of issuing any fresh loan in the near future ?

The Honourable Sir George Schuster : (a) There are no 6 per cent. 1930-33 bonds and I presume that the Honourable Member refers to the 6 per cent. Bonds 1933-36. According to the terms of issue, these bonds could not be redeemed earlier than the 15th August, 1933. They have been notified for repayment on that date.

(b) The amount of 6 per cent. Bonds 1933-36 outstanding on the 31st May, 1933, was Rs. 8,96,48,000.

(c) No.

(d) and (e). I would invite the Honourable Member's attention to the reply given in this House on the 23rd September, 1931, to parts (d) and (e) of starred question No. 775, by Lala Rameshwar Prasad Bagla and on the 8th September, 1932, to part (e) of starred question No. 116 by Dr. Ziauddin Ahmad.

REPRESENTATIVES OF INDIA AT THE WORLD ECONOMIC CONFERENCE IN LONDON.

75. *Mr. Gaya Prasad Singh : Will Government kindly state the names of those who "represented" India at the World Economic Conference in London recently ? Why were Sir Purshotandas Thakurdas and Mr. A. Rangaswamy Iyenger proposed to be added as mere "advisers" and not members ?

The Honourable Sir Joseph Bore : The Honourable Member is referred to the Press Communiqués, dated the 9th and the 16th June, 1933, issued by the Private Secretary to His Excellency the Viceroy, copies of which are in the Library. I have nothing to add to the announcements already made.

Mr. B. Das : Is the Honourable Member aware that after the resignation of Sir Purshotamdas Thakurdas and Mr. A. Rangaswami Iyengar, the officials of the India Office were hunting about in London to get substitute Indians to represent India at the World Economic Conference ?

The Honourable Sir Joseph Bore : I am not aware of that.

Mr. B. Das : Is the Honourable gentleman aware that one or two names were put in just on the morning of the day on which the Conference met ?

The Honourable Sir Joseph Bore : I cannot recall all the dates upon which the names of the various members of the Delegation were published. If the Honourable Member will give me notice of that question, I will give him the dates.

Mr. B. Das : What are the special qualifications of the various lawyer politicians that came in as advisers to the Indian Delegation to the World Economic Conference ?

The Honourable Sir Joseph Bore : I am afraid that my Honourable friend cannot expect me to discuss on the floor of the House the respective merits of the public men of this country.

Mr. B. Das : Were they all public men that were chosen as advisers to the Delegation ?

The Honourable Sir Joseph Bore : I think that all the non-officials may certainly be classed under that category.

Mr. B. Das : It is the view of the Government and not of this side of the House.

The Honourable Sir Joseph Bore : My Honourable friend is entitled to his own views in the matter.

Mr. Gaya Prasad Singh : Is it a fact that, consequent on the refusal of Sir Purshotamdas Thakurdas and Mr. A. Rangaswami Iyengar to act in the capacity of mere advisers to the World Economic Conference, the Government selected some other gentleman to act, not as an adviser, but as a member of the Delegation ?

The Honourable Sir Joseph Bore : I think my Honourable friend's memory is quite correct.

Mr. Gaya Prasad Singh : May I know why this gentleman, whose name was subsequently added as a member, was not chosen at the very outset ?

The Honourable Sir Joseph Bore : I would like to make the position perfectly clear to the House in regard to all matters in which it is assumed that the Government of India are concerned. Matters which are discussed in the Executive Council are confidential and I am not in a position to disclose to this House whether any reference was made to the Executive Council or not, if so, what their views were, and if so, whether their views were communicated to His Majesty's Government. I want to make that position perfectly clear to the House, so that they may not charge me with not giving them the information which I am in a position to give.

Mr. Gaya Prasad Singh : I did not ask that question. My question is a simple one, and I do not want to pry into the secrets of the Executive Council. My question was merely this, why was not this gentleman, whose name was added subsequently, chosen as a member of this World Economic Conference at the very outset ? That is all. I did not want to know your secrets.

The Honourable Sir Joseph Bhoré : My Honourable friend cannot ask me questions which may be concerned with matters which are vitally concerned with the discussions in the Executive Council.

Mr. B. Das : Arising out of the reply of the Leader of the House, did not the World Economic Conference represent the Governments of the different countries of the world, or did it represent the Governor General alone ?

The Honourable Sir Joseph Bhoré : I think my Honourable friend is right in suggesting that it represented the Governments of the countries.

Mr. B. Das : Then, how is it that the Executive Council is not responsible for the bad choice or good choice of the delegates going there ?

The Honourable Sir Joseph Bhoré : I again repeat what I said, Sir. I am not in a position to say whether the Executive Council was or was not responsible for this choice.

Mr. N. M. Joshi : May I ask whether, in the opinion of the Government, this House is not entitled to discuss the merits of the appointments made by Government to these Conferences ?

Mr. President (The Honourable Sir Shanmukham Chetty) : Discussion cannot take place on a question.

Mr. N. M. Joshi : May I ask whether this House is not entitled to ask for information as regards the merits of the appointments made by Government ?

The Honourable Sir Joseph Bhoré : My Honourable friend is perfectly at liberty to hold his own opinion as to the merits of individuals. He is not entitled to ask me my opinion as to the merits of individuals.

Mr. S. C. Mitra : What was the objection of the Government to sending Sir Purshotamdas Thakurdas and Mr. A. Rangaswami Iyengar as members and not as advisers especially when they accepted another gentleman as a member subsequently ?

The Honourable Sir Joseph Bhoré : As I told you, Sir, I am not in a position to discuss the respective merits of these public men.

PRESIDENTIAL SPEECH OF MR. SUBHAS CHANDRA BOSE IN THE RECENT POLITICAL CONFERENCE IN LONDON.

76. ***Mr. Gaya Prasad Singh :** Has the attention of Government been drawn to the presidential speech of Mr. Subhas Chandra Bose in the recent political conference in London, in the course of which he has condemned the suspension of Civil Disobedience Movement " as a calamity of the first magnitude ", and has advocated the adoption of another fight for freedom " on a bigger and more extensive scale " ?

The Honourable Sir Harry Haig : I have seen a copy of the speech.

Mr. Gaya Prasad Singh : Has this speech been prohibited from being circulated in India ?

The Honourable Sir Harry Haig : Yes. I, therefore, probably have the advantage over the Honourable Member in that respect.

Mr. Gaya Prasad Singh : Will the Honourable Member be pleased to lay a copy of that speech on the table so that we may judge whether it is objectionable or not ?

The Honourable Sir Harry Haig : No, Sir. I am afraid I must ask to be allowed to retain my advantage.

Mr. S. G. Jog : Is it not a fact that a summary of the speech was allowed to be published in India ?

The Honourable Sir Harry Haig : It is possible that a certain telegraphic summary of the speech reached India before it was prohibited.

Mr. S. G. Jog : Was there any objection taken to the publication of that summary ?

The Honourable Sir Harry Haig : No, Sir.

Mr. S. G. Jog : Did it suit the purpose of the Government at that time to publish the summary ?

The Honourable Sir Harry Haig : It was only when the full text of the speech reached us that we found that considerable portions of it were, in our opinion, very objectionable.

Mr. Gaya Prasad Singh : What were those objectionable portions ?

The Honourable Sir Harry Haig : The Honourable Member is very persistent in trying to get information which I am unable to give.

BOYCOTT OF INDIAN COTTON BY JAPAN.

77. ***Mr. Gaya Prasad Singh :** Is it a fact that Japan has boycotted Indian cotton ? If so, how has this affected our cotton trade ?

The Honourable Sir Joseph Bhoré : Government have received information that a resolution to boycott Indian cotton was adopted by the Cotton Spinners Association, Japan, on the 13th of June, 1933. It is not yet possible to estimate the extent, if any, to which the Indian cotton trade has been affected. The situation, however, is being carefully watched.

Mr. Gaya Prasad Singh : May I know if there is any information in the possession of Government to indicate whether the Resolution which was passed in Japan has been given effect to or not ?

The Honourable Sir Joseph Bhoré : That, Sir, is a very difficult matter for me to answer. I have no information which will lead me to the view that the boycott is effective.

Mr. T. N. Ramakrishna Reddi : Has not the Honourable Member received representations from primary producers saying that the prices have been considerably affected on account of this boycott by the Japanese ?

The Honourable Sir Joseph Bhoré : I cannot remember whether I have received any direct representation from cotton growers, but I have seen this statement made in the newspapers.

Mr. B. Das : Have the Government seen any indication on the part of the Indian millowners, as a result of this boycott by the Japanese people, to increase their purchase of Indian cotton, since the Anti-Dumping Act was passed ?

The Honourable Sir Joseph Bhoré : If my Honourable friend studies the agenda for the next non-official Resolution day, he will see that the first Resolution deals with this question and this will give me an opportunity of placing what, I hope, will be very complete information before the House on the point which he has raised.

CEYLONESE DEPUTATION IN SIMLA.

78. ***Mr. Gaya Prasad Singh :** Will Government kindly state the purpose for which the Ceylonese deputation visited the Government in Simla some time back ; and is it intended to give preference to any article from Ceylon such as copra, etc. ? Will Government be pleased to lay on the table the result of any negotiations between Ceylon and India in this connection ?

The Honourable Sir Joseph Bhoré : The Ceylon Deputation visited India to discuss with the Government of India the question of mutual tariff preferences between Ceylon and India. The negotiations between the two countries have not yet been concluded.

With regard to the second part of his question, the Honourable Member is referred to the Indian Tariff (Ottawa Trade Agreement) Amendment Act, 1932, by the operation of which the preferences mentioned in Schedule 'H' to the Trade Agreement between India and the United Kingdom have already been accorded to British Colonies including Ceylon. These preferences include cocoanuts, coconut oil and copra.

Mr. Gaya Prasad Singh : Before any decision is arrived at between the two countries, will an opportunity be given to this House to discuss the subject ?

The Honourable Sir Joseph Bhoré : My Honourable friend may rest assured that no change in the tariff can possibly take place without the full concurrence and approval of this House.

Mr. S. G. Jog : May I know whether the Ceylon Deputation came at the instance of the Ceylon Government or it was a voluntary affair ?

The Honourable Sir Joseph Bhoré : It represented the Ceylon Government.

ADDITIONAL INCOME-TAX OFFICER AND ASSISTANT INCOME-TAX OFFICER, KARACHI.

79. ***Mr. Lalchand Navalrai :** Will Government be pleased to state :

- (a) From what date the Additional Income-tax Officer and Assistant Income-tax Officer, Karachi, commenced their work ;

- (b) How many notices under section 22 (2) were issued by each of these two officers during 1931-32 and 1932-33, respectively ;
- (c) In how many cases were assessments made by each of these two officers in respect of the same party against whom the Income-tax Officer, A and B Divisions, had also instituted proceedings for assessment ;
- (d) How many " letters of interview " were issued by each of these officers to parties who had been dealt with by the Income-tax Officers in charge of the A and B Divisions up to the end of March, 1933 ;
- (e) In how many cases were double assessments made and how many such assessments still stand ?

The Honourable Sir George Schuster : (a) The Additional and Assistant Income-tax Officers, Karachi, entered upon their present duties, connected with the assessment of incomes below Rs. 2,000, from 19th January, 1932, and 4th July, 1932, respectively.

(b) The Additional Income-tax Officer issued 1,987 notices during 1931-32 and 1,350 during 1932-33 under section 22 (2). The Assistant Income-tax Officer did not issue any during 1932-33. In 1931-32, his appointment was not in existence.

(c) Additional Income-tax Officer	..	..	4
Assistant Income-tax Officer	..	..	21

In addition, 20 cases were transferred to the Income-tax Officers, A and B Divisions, Karachi, on its being ascertained that they had already been dealt with by those officers.

(d) The information is not readily available. Such letters were issued only in exceptional cases when the officers considered the personal attendance of an assessee essential.

(e) Double assessments were made in 18 cases, but none of them are still standing.

ASSESSMENT PROCEEDINGS UNDER THE INDIAN INCOME-TAX ACT IN SIND.

80. ***Mr. Lalchand Navalrai :** Will Government be pleased to state if it is a fact that, in a number of cases in Sind, assessment proceedings under sections 22 and 34 of the Income-tax Act were commenced and completed the same day ? If so, in how many cases and why ?

The Honourable Sir George Schuster : No. There were only two such cases in 1931-32 and none in 1932-33. The assessment proceedings in the two cases were commenced and completed the same day at the request of the assessee and in order to avoid inconvenience and trouble to them.

ASSESSMENT PROCEEDINGS UNDER THE INDIAN INCOME-TAX ACT IN SIND.

81. ***Mr. Lalchand Navalrai :** In how many cases were assessments reopened under section 34 of the Income-tax Act in charge of every Income-tax Officer in Sind separately in the years 1931-32 and 1932-33 and what reasons necessitated the same ?

The Honourable Sir George Schuster : The number of assessment cases reopened under section 34 of the Income-tax Act by the Income-tax Officers in Sind was as under :

Charge.	1931-32.	1932-33.
Income-tax Officer ' A ' Division, Karachi	38	66
Income-tax Officer ' B ' Division, Karachi	74	70
Income-tax Officer, Hyderabad ..	29	38
Income-tax Officer, Sukkur ..	31	43
Income-tax Officer, Shikarpur ..	4	13
Income-tax Officer, Larkana ..	46	87
Income-tax Officer, Thar Parkar ..	..	4

The reason for taking action under section 34 is always as stated in that section, namely, that income liable to tax has escaped assessment or has been assessed at too low a rate.

TRANSLATION OF THE FORM OF NOTICE OF DEMAND OF INCOME-TAX IN SINDHI.

82. ***Mr. Lalchand Navalrai :** Will Government be pleased to state whether any steps have been taken to translate into Sindhi the form of notice of demand under the Income-tax Act ?

The Honourable Sir George Schuster : The form of notice of demand (I. T. 15), under section 29 of the Indian Income-tax Act is already available in Sindhi.

ASSESSMENT OF INCOME-TAX FROM CONTRACTORS IN SIND.

83. ***Mr. Lalchand Navalrai :** Is it a fact that the Commissioners and Assistant Commissioners of Income-tax have issued instructions that when the contractor assessee do not produce books or produce unclosed books, a flat rate of 15 per cent. should be charged on the contract figures, and is it a fact that in other places a flat rate of 10 per cent. is charged ?

The Honourable Sir George Schuster : When an assessee, be he a contractor or any one else is unable to prove his actual profits, the deciding authority be he an Income-tax Officer, an Assistant Commissioner or a Commissioner, has to make an estimate of the income liable to tax. Government are not aware of any general instructions having been issued as to the rate of profit which is to be assumed for the purpose of making such an estimate.

AMENDMENT OF SECTION 61 OF THE INDIAN INCOME-TAX ACT.

84. ***Mr. Lalchand Navalrai :** (a) Are Government aware that a move was made to amend section 61 of the Income-tax Act in order to restrict representation on behalf of the income-tax assessee in the proceedings under the Income-tax Act ?

(b) Is it a fact that it was brought to the notice of Government that the present practice of allowing any man authorized by the assessee to appear on his behalf as a so-called expert was objectionable ?

(c) Is it a fact that Government while amending the Income-tax Act kept this matter in abeyance for further information and consideration ?

(d) Do Government propose to amend section 61 of the Income-tax Act in that connection ? If so, when ?

The Honourable Sir George Schuster : (a) Yes.

(b) Objections were taken in certain quarters to the present practice.

(c) Yes.

(d) Government have no immediate intention of taking up the matter again.

COMMUNAL COMPOSITION OF INSPECTORS AND ASSISTANT EXAMINERS, ETC.,
IN THE INCOME-TAX DEPARTMENT, SIND.

85. ***Mr. Lalohand Navabrai :** (a) What is the percentage of incumbents belonging to different communities in the higher grades of Inspectors, Assistant Examiners and others such as bailiffs, notice servers, peons and chowkidars in Sind Income-tax Department and what is the ratio fixed for communal equilibrium by Government orders ?

(b) Is it a fact that amongst minorities, viz., Muhammadans and other castes as a rule, the proportion is 30 per cent. ? If so, is this rule being observed in Sind ? If not, why not ?

(c) Is it a fact that there are five Muhammadans out of seven Assistant Inspectors Examiners in Sind ?

(d) Is it a fact that not a single Hindu has been confirmed as Inspector or Examiner during the last five years ? If so, what steps do Government propose to take to remove this inequality ?

(e) Is it a fact that two Hindus who had acted for a pretty long time as Assistant Inspectors—Examiners have been made to revert to make room for Mussalmans ?

(f) Is it a fact that the Hindu employees in the Sind Income-tax Department are not being allowed to appear for income-tax officer's examination and as a result thereof two Gujratis have been imported in Sind ?

(g) Is it a fact that all notice servers and peons in the Larkana Income-tax Circle are Muhammadans ?

(h) Do Government propose to consider the claims of Hindus for these posts ?

(i) Is it a fact that the Shikarpur Income-tax Officer appointed a Hindu peon but his order was turned down in favour of a Muhammadan ?

The Honourable Sir George Schuster : (a) and (b). A statement is laid on the table showing the percentage according to communities of members of the staffs in the Income-tax Department in Sind. The general orders of Government must be well known to the Honourable Member and are being observed. These orders do not prescribe any definite percentage for any particular community.

(c) There are five Muhammadans out of eight *temporary* Assistant Inspector-Examiners.

(d) No. On the contrary two Hindus have been confirmed as Examiners. The second part of the question does not arise.

(e) No.

(f) The Departmental Examination is meant for those who are appointed to officiate as Income-tax Officers and are to be confirmed as such. At a time when a large number of vacancies of Income-tax Officers were to be filled up, Inspectors and Examiners who appeared fit to be appointed as Income-tax Officers were allowed *as a special case only* to appear for this examination in order to simplify selection and have men who would not have to be reverted subsequently. As a result of this, a large number of officers passed the examination and until they are provided for, there would be no advantage in allowing others to take the examination. An exception has been made in favour of Muhammadans as there was only one member of that community who had passed the examination and was awaiting a vacancy.

(g) and (h). Yes. In the mofussil in Sind, Hindus are not easily available for such posts. If suitable Hindus were to apply, their claims would be duly considered.

(i) Yes.

Statement showing the percentage according to communities of Members of the staffs in the Income-tax Department in Sind.

				Hindus. Per cent.	Muhammadans. Per cent.	Others. Per cent.
Inspectors	..	..	..	50	33·5	16·5
Examiners	..	..	..	62·5	12·5	25
Assistant Inspectors (temporary)	..	..	..	37·5	62·5	Nil.
Clerks	..	..	..	55	33	12
Bailiffs	..	..	..	58·3	41·7	Nil.
Notice Servers	..	..	..	30	70	Nil.
Naiks and Peons	..	..	..	37·5	62·5	Nil.

DISABILITY PENSIONS DRAWN BY PREVENTIVE OFFICERS AND INSPECTORS IN THE KARACHI CUSTOMS HOUSE.

86. *Mr. Lalchand Navalrai : (a) Will Government be pleased to state how many Preventive Officers there are in the Karachi Customs ?

(b) How many Inspectors are there ?

(c) How many of each are drawing a disability pension and for how long ?

(d) Is it necessary for every Government servant especially those serving in the executive branches to be physically fit ?

(e) Did those drawing a disability pension produce a certificate of physical fitness to continue in service after being found disabled ? If not, why not ?

(f) How many Preventive Officers are entitled to passages under the Lee Commission Rules ?

(g) Are any of the disabled pensioners entitled to passages and have they taken advantage of any yet ?

(h) What pay are those disabled pensioners getting from Government and what pension are they getting, and for what period are they drawing this pension ?

(i) What are the special circumstances which necessitated an Inspector of Preventive Service, Karachi Customs, being granted extensions after the age of 55 years ?

The Honourable Sir George Schuster : (a) Thirty-three.

(b) Four, including the Chief Inspector.

(c) One Inspector has drawn a disability pension since 1917.

(d) Yes.

(e) Yes.

(f) Two, and one Inspector.

(g) The disabled Inspector has had one free passage under the rules.

(h) The disabled Inspector draws pay at the rate of Rs. 400 a month. He has drawn from His Majesty's Government since 1917 twelve shillings a week for himself and three shillings for his wife.

(i) The temporary shortage of officers with experience as Inspectors.

MILITARY DAIRIES IN SIMLA AND LAHORE.

87. ***Mr. Lalchand Navalrai :** (a) Will Government be pleased to state how many military dairies exist in Simla and Lahore ?

(b) Is it a fact that there are private dairies also in Simla and Lahore ?

(c) Is it a fact that these Government military dairies were intended for the dairy requirements of the military ranks and their families within regimental areas ?

(d) Is it also a fact that vast tracts of valuable lands were granted to military dairies, wherever they are situated, free or on nominal value for the sake of military necessity ?

(e) Will Government be pleased to state if there was an intention to run these dairies in competition with private dairy concerns in civil populated areas ? If there was or is any such intention, will Government be pleased to state reasonable justification for the same ?

(f) Is it a fact that these military dairies have lately started a campaign against the private dairy enterprises by sending out their produce for sale at the residences of civil population outside their regimental areas ?

(g) Is it a fact that some of the private dairy owners from Lahore brought this fact to the notice of the Quartermaster General in India, Army Headquarters ?

(h) Will Government be pleased to state what action has been taken to remove this grievance of the private dairy concerns ?

(i) Do Government propose to restrict the Government military dairies to supply the requirements of only military people within regimental areas as originally intended ? If not, why not ?

Mr. G. R. F. Tottenham : (a) There is one Military Dairy at Jutogh and one in Lahore Cantonment.

(b) There is a private dairy at Taradevi which sells dairy products in Simla ; and there are also several milk and butter shops in Simla and Lahore, but so far as is known, none of the latter owns a dairy herd.

(c) Military dairies are intended to supply pure dairy products to troops, army departments and establishments in peace and in war. They are required to meet the fluctuating demands of hospitals and troops and must also be capable of expansion in war : It is incumbent upon Government to see that they work as economically as possible.

(d) No. Interest is credited to Government on the assessed agricultural value of all lands held by the Military Dairy Farms.

(e) The military dairy farms have no desire whatever to compete with private firms, which can supply dairy products up to the standard required.

(f) There has been no change of policy. For many years military dairies have been allowed to sell surplus produce, when available, at remunerative rates to non-military Government officials and their families and also to the public, except in Simla.

(g) Representations have been received.

(h) and (i). The matter is at present under the consideration of the Government of India.

CONTRACTS OF STALLS AT RAILWAY STATIONS.

88. *Mr. Lalchand Navalrai : (a) Will Government be pleased to state what is the rule or practice in vending contracts of stalls at Railway stations ? Are they given by auction or in any other manner ? If so, what ?

(b) Is it a fact that one Wadhmal has been given contracts of six (mostly junction stations) stations on the Sind and Baluchistan Section and one Muhammadan has been given for several stations on the Sind, Baluchistan and Punjab sections ?

(c) Will Government be pleased to state why these men have been favoured by being given contracts at several stations ?

(d) Is it a fact that the Railway rules and also practice provide that each station should be given to one individual contractor ?

(e) Which office is responsible for giving these contracts of stalls in Sind ?

(f) Do Government propose to direct a fair distribution of these vending contracts of stalls to different people particularly unemployed educated persons of the Districts in which the stalls exist ?

Mr. P. R. Rau : (a) On the North Western Railway to which I presume, my Honourable friend is referring, vending contractors are selected personally by the Divisional Commercial Officer of the Division from among applicants who have the necessary professional qualifications. In the case of important stations, this selection is subject to confirmation by the Divisional Superintendent concerned.

(b) to (f). These refer to detailed arrangements which are within the competence of the Railway Administration and I have sent a copy of this question to the Agent for consideration of the suggestions made. I might add that Government do not consider the grant of such contracts can be used to any extent as a solution of the difficult problem of unemployment. The question has to be looked at from the point of view

of selecting the persons most likely to render efficient service to the travelling public.

EXPORT OF SILVER FROM INDIA TO AMERICA.

89. ***Seth Haji Abdoola Haroon** : (a) Will Government be pleased to state whether they have delivered silver from India recently for export to America ?

(b) Is it a fact that it has fetched a price of 50 cents per ounce ?

(c) If the reply to part (b) above be in the negative, at what rate has the Government of India made over to the British Government this 20 millions ounces of silver ?

(d) What quantity of silver do the Government of India still possess for sale ?

(e) How do the Government of India propose to utilize the same ?

The Honourable Sir George Schuster : (a) Yes.

(b) It is understood that this is the rate at which the Government of the United States of America afforded credit to the Government of the United Kingdom in respect of this token payment.

(c) The silver was sold on the basis of 20 $\frac{7}{16}$ d. per standard ounce for delivery in London. As however the silver was shipped to the United States of America without going through London, charges for transport will be subject to a deduction equivalent to the amount that would have been paid by the Government of India if the silver had been shipped to London.

(d) and (e). Information regarding the amount of silver in the possession of Government is given in the weekly abstracts of the Accounts of the Currency Department published by the Controller of the Currency, but the silver is not necessarily for sale.

Mr. S. G. Jog : Is it a fact that the Finance Member at Bombay made a statement to the representatives of the Press that he himself knew nothing about these transactions ?

The Honourable Sir George Schuster : Is the Honourable Member referring to me as the Finance Member ?

Mr. S. G. Jog : Yes.

The Honourable Sir George Schuster : Then it is certainly not a fact.

Mr. F. E. James : May I ask the Honourable Member in connection with the recent silver agreement, on which, I am sure, the whole House would wish to congratulate the Finance Member, whether it is a fact that that agreement will require the ratification of the Legislature and, if so, will that ratification be sought during the present Session of the Legislature ?

The Honourable Sir George Schuster : It certainly is a fact that ratification of that agreement does require the approval of the Legislature, and that agreement will be put before the Legislature at the earliest convenient opportunity. I cannot state exactly what the date will be.

ALLEGATIONS AGAINST ONE MR. MANGHARAM, SUB-POST MASTER, KAMBAR.

90. ***Seth Haji Abdoola Haroon** : (a) Will Government be pleased to state whether their attention has been drawn to the leading article which appeared in the *New Era* of Sukkur, dated the 8th May, 1933 ?

(b) If so, are the allegations contained therein true ?

(c) Is it true that both Hindus and Mussalmans of the locality submitted petitions to the Superintendent of Posts and Telegraphs, Upper Sind Division, narrating their grievances against Mr. Mangharam, Sub-Post Master, Kambar, as referred to therein ?

(d) What steps have the authorities taken on those petitions ?

(e) Was an impartial inquiry made on those petitions against Mr. Mangharam or was a one-sided inquiry made as referred to therein ?

(f) What steps do Government now propose to take to meet the wishes of both Hindus and Mussalmans of the locality as urged in their petitions ?

The Honourable Sir Frank Noyce : (a) to (f) Government have not seen the article and have not been able to obtain a copy of the *New Era* in spite of application to the Manager and are therefore unaware of the nature of the allegations to which the Honourable Member refers. It is, however, a fact that certain complaints against the Sub-Post Master, Kambar, were made in a petition addressed to the Superintendent of Post Offices, Upper Sind Division, signed by both Muslims and Hindus. The complaints were investigated and were found to be groundless, but the Sub-Post Master in question has since been transferred from Kambar.

SIMLA EXODUS.

91. ***Mr. Gaya Prasad Singh :** (a) Is it a fact that projects for the expansion of seating arrangements in the Legislative Assembly and Council of State, New Delhi, are in hand ? If so, what exactly are the plans, and how much money is estimated to be spent in this connection ?

(b) Is it intended that in future the autumn session of the Central Legislature in Simla is to be cut out, and that the session will be held in Delhi only ? If so, what approximately will be the amount of saving thereby effected ? Is it a fact that the Council Chamber in New Delhi is being provided with cooling apparatus ? If so, to whom has the contract been given, and for how much ?

(c) Is it proposed to abandon the Simla exodus altogether and keep the Government of India located in New Delhi only throughout the year ?

(d) Is it proposed to build additional quarters for Members of the Federal Legislature and for the staff in New Delhi ? If so, how many such quarters are to be built and at what approximate cost ?

The Honourable Sir Frank Noyce : (a) and (b). No decision has been reached.

(c) Government have reached no decisions beyond that stated on page 23 of the Summary of the Results of Retrenchment operations in Civil Expenditure, copies of which are in the Library.

(d) It is proposed to construct 37 officers' bungalows, 627 clerks' married quarters and 33 legislators' quarters at an estimated cost of Rs. 49,50,000 made up as below :

			Rs.
Officers' bungalows	..	..	10,50,000
Clerks' quarters	..	..	28,50,000
Legislators' quarters	..	..	5,00,000
Preparation of site, levelling and grassing	..	..	1,00,000
Establishment	..	..	4,50,000
Total	..	..	<u>49,50,000</u>

PAYMENT OF WAR DEBT BY ENGLAND TO THE UNITED STATES OF AMERICA
WITH SILVER ACQUIRED FROM INDIA.

92. ***Mr. Gaya Prasad Singh** : (a) Is it a fact that the War Debt has been paid by England to the United States of America with silver acquired from India ?

(b) If so, what is the amount involved ?

(c) In what way have England and India benefited by this transaction ? Did the Government of India approve of this transaction, and are Government prepared to place all correspondence in this connection on the table ?

The Honourable Sir George Schuster : With your permission, Sir, I shall answer (a), (b) and (c) together.

The attention of the Honourable Member is invited to the answer which I have just given to starred question No. 89 asked by Seth Haji Abdoola Haroon.

The Government of India approved of this transaction. They are not prepared to place the correspondence on the table.

Mr. Gaya Prasad Singh : What is the reply to this ? In what way have England and India benefited by this transaction ?

The Honourable Sir George Schuster : I regret that the answer does not seem to have dealt with that specific part of the question. So far as India is concerned, India was enabled to sell 20 million ounces of silver at a price which, on the date when the transaction was arranged, represented more than a penny an ounce above the prevailing price of the market, and a price which today represents very nearly 3d an ounce more than the prevailing price. That is a definite advantage to India.

Mr. B. V. Jadhav : Was it necessary for India to part with her silver at this time ?

The Honourable Sir George Schuster : I think that Honourable Members will agree with me that to have sold silver at that price was an advantageous transaction to India.

REPRESENTATION FOR THE POSTPONEMENT OF THE AUTUMN SESSION OF THE
LEGISLATIVE ASSEMBLY TO NOVEMBER.

93. ***Mr. Gaya Prasad Singh** : Is it a fact that a representation was made by certain Members of the Legislative Assembly who proceeded to London, suggesting the postponement of the Autumn session of the Assembly to November ? If so, on what grounds ? Will Government kindly give their names, and lay a copy of their representation on the table, together with any note which might have been made on it ?

The Honourable Sir Joseph Bhoré : Some Members of the Legislative Assembly who were then in England requested the Secretary of State to suggest to the Government of India the postponement of the present Session of the Assembly in view of the fact that it might not be possible for some of them to return to India before the beginning of the Session. No direct representation was received from any Member by the Government of India, and there are no papers which can be laid.

Mr. Lalchand Navalrai : Will the Honourable Member be pleased to state if it is considered by the Government of India or the Secretary of State that the House will be thin and that the Government will have the day ?

The Honourable Sir Joseph Bhore : I can assure my Honourable friend that these considerations did not weigh with the final decision in the least.

Mr. Gaya Prasad Singh : May I know, Sir, if a copy of the representation which was submitted by these gentlemen to the Secretary of State was forwarded to the Government of India ?

The Honourable Sir Joseph Bhore : I am not aware that any representation other than the oral or verbal representation referred to was made.

Mr. Gaya Prasad Singh : Will the Government be pleased to give the names of those gentlemen who sent in that representation or wrote that letter to the Secretary of State ?

The Honourable Sir Joseph Bhore : I am trying to explain to my Honourable friend that it was an oral or verbal representation. I am not in a position to know even what the exact terms of it were.

Mr. Gaya Prasad Singh : I am sorry I could not hear the reply.

Mr. B. Das : Is it not a fact that these very gentlemen were most active during the summer Session of the Assembly to secure, by the backdoor, nomination or election to go to England to participate in the Joint Committee or the subsidiary Committee ?

Mr. President (The Honourable Sir Shanmukham Chetty) : Next question.

EXTENSION OF TRANS-CONTINENTAL AIR SERVICE FROM KARACHI TO SINGAPORE.

94. *Mr. Gaya Prasad Singh : Will Government kindly make a statement regarding the extension of Trans-Continental Air Service from Karachi to Singapore and its feeder lines, indicating the Indian interests as regards Directorate, Finance, the Indian personnel in its service, training of Indians, and whether the Company will be floated with rupee capital in India ?

The Honourable Sir Frank Noyce : The attention of the Honourable Member is invited to the Government of India, Department of Industries and Labour (Civil Aviation), Press Communiqué, No. V.-10, dated the 9th May, 1933, a copy of which is laid on the table.

The Trans-India Air Service was inaugurated on the 7th July, 1933, by the opening of the Karachi-Calcutta section, the first service being operated by an Indian aircraft, owned by Indian Trans-Continental Airways, Limited.

The number of Directors of Indian Trans-Continental Airways, Limited, is seven, of whom four are Indians. Of these, one has been appointed by the Government of India, one by Indian National Airways Limited and two by Imperial Airways, Limited.

The capital is held in the following proportions :

Government of India 24 per cent.

Indian National Airways 25 per cent.

Imperial Airways 51 per cent.

Proposals regarding the inauguration of feeder services in connection with the Trans-India Air Service are being examined. They are not yet at an advanced stage.

Statement.

GOVERNMENT OF INDIA.

DEPARTMENT OF INDUSTRIES AND LABOUR,

(CIVIL AVIATION).

No. V-10, DATED SIMLA, THE 9TH MAY, 1933.

PRESS COMMUNIQUE.

Trans-India Air Service.

Arrangements have been made for the inauguration of an air service between Karachi and Singapore as a joint enterprise to be worked by an Indian Company (Indian Trans-Continental Airways, Limited), to be formed as explained below, together with Imperial Airways, Limited, and simultaneously for the formation of a second Indian Company, Indian National Airways, Limited, for the operation of feeder and other services in Northern India.

2. The capital of Indian Trans-Continental Airways, Limited, will be rupee capital and will be subscribed jointly by the Government of India, Indian National Airways, Limited, and Imperial Airways, Limited, the Directors will be selected by the shareholders and the majority will be Indians.

3. Indian Trans-Continental Airways and Imperial Airways will each provide one-half of the fleet required for the service. Indian Trans-Continental Airways will employ the largest percentage reasonably possible of Indian personnel as soon as individuals of the requisite standard are available, and Imperial Airways will arrange for the training of a limited number of Indians in their commercial and engineering departments, while the fleet and equipment for Indian National Airways and Indian Trans-Continental Airways are being procured.

4. The arrangement for the joint working of the Karachi-Singapore Service will continue till 31st March, 1939, the date on which the existing agreement between His Majesty's Government and Imperial Airways for the England-India Air Service expires.

5. By means of this arrangement the participation of an Indian Company employing Indian personnel, is secured, not merely in a service operating within India, but on an important section outside India (*viz.*, from Rangoon to Singapore), of the Imperial route to Australia.

6. The fleet of the two operating companies will be homogeneous and of a modern type, carrying passengers and freight as well as mails. The details of the route across India and the time-table of operation have not yet been finally settled. It is hoped that the first section of the service as far as Calcutta will be inaugurated during the summer, to be followed by an extension to Rangoon and possibly Singapore immediately after the monsoon.

7. Indian National Airways, Limited, will be formed with rupee capital. Plans for operating certain branch services are already in preparation.

(Sd.) J. A. SHILLIDY,

Secretary to the Government of India.

Mr. Gaya Prasad Singh: Is it not a fact that the Imperial Airways is a foreign company, not with a rupee capital?

The Honourable Sir Frank Noyce: That is so, if the Honourable Member, in the word "foreign", includes a British Company. The capital of Imperial Airways is not rupee capital. As I have explained, there are two companies and, as the Honourable Member will find in the communiqué to which I have referred, the Karachi-Calcutta service is operated by Indian Trans-Continental Airways, Limited, which is an Indian Company with rupee capital.

Mr. Gaya Prasad Singh: Is it not a fact that the Standing Finance Committee laid down the rule, which, if I remember aright, was approved by this House, that the capital should be rupee capital with a majority of Indian directors?

The Honourable Sir Frank Noyce : The capital of the Indian Trans-Continental Airways, Limited, is rupee capital and it has a majority of Indian directors. There are four Indian directors out of seven. If the Honourable Member wishes to know their names, I shall be happy to give them. They are :

Chaudhri Zafarulla Khan,

Rai Bahadur Badri Das Goenka,

Rai Bahadur Lala Ramsaran Das, and

Sir H. M. Mehta.

REFUSAL OF PASSPORT TO MR. B. J. DEORUKHKAR, NATIONALIST LEADER OF THE DEPRESSED CLASSES, TO PROCEED TO LONDON.

95. *Mr. Gaya Prasad Singh : Is it a fact that Mr. B. J. Deorukhkar, Nationalist leader of the Depressed classes, who wanted to proceed to England at his own expense to secure proper representation of their case before the Joint Select Committee, has been refused passport ? If so, why ?

The Honourable Sir Harry Haig : Mr. Deorukhkar applied for a passport to proceed to England to help his friends in giving evidence before the Joint Parliamentary Committee, and also to study the social conditions of sweepers and tanners in London. In view of the part he played in the labour disturbances at Bombay, and of his association with the Civil Disobedience Movement, the Government of Bombay considered it inexpedient to give him a passport, and rejected his application.

Mr. Gaya Prasad Singh : May I know, Sir, what part did he play in the labour movement in Bombay ?

The Honourable Sir Harry Haig : I think one might say, Sir, a part tinged with communism.

Mr. Lalchand Navalrai : What part did he take in the Civil Disobedience Movement ?

The Honourable Sir Harry Haig : I am afraid I have not the details with me.

Mr. K. C. Neogy : May I know, Sir, if participation in the Civil Disobedience Movement is considered to be a disability in regard to the grant of a passport ?

The Honourable Sir Harry Haig : Not necessarily, Sir.

Mr. Lalchand Navalrai : Does not the Honourable Member think that, if he had gone to England, India would have been freed from his activity in the Civil Disobedience Movement ?

The Honourable Sir Harry Haig : Possibly, Sir ; but I am not sure that the interests of his own community would have been much advanced thereby.

Mr. Gaya Prasad Singh : If participation in the Civil Disobedience Movement is not necessarily a disqualification for obtaining a passport, why was he refused a passport ?

The Honourable Sir Harry Haig : I think, Sir, the main reason was his communistic activities in the labour disturbances in Bombay a few years ago.

Mr. Gaya Prasad Singh : May I know that the refusal of the passport had nothing to do with his participation in the Civil Disobedience Movement, and that it was refused because of the part which he played in the labour disturbances ?

The Honourable Sir Harry Haig : I am giving, Sir, the reasons given to us by the Government of Bombay who refused the passport.

Mr. S. C. Mitra : Was this gentleman ever prosecuted in any Court of law for his participation in communistic activities ?

The Honourable Sir Harry Haig : I am afraid I must ask the Honourable Member to put down a question on that point.

Mr. Lalchand Navalrai : Is the Honourable Member going to accept what the Bombay Government has done without any further inquiry or investigation as a gospel truth ?

The Honourable Sir Harry Haig : Yes, Sir.

Mr. B. V. Jadhav : Was it the idea of the Bombay Government to save the English people from the bad teachings of Mr. Deorukhkar in communism there ?

The Honourable Sir Harry Haig : It is our general policy, Sir, to be very careful about the grant of passports to communists.

Mr. Gaya Prasad Singh : Would it not have been more convenient from the point of view of Government to get rid of him even for a time, because he is so undesirable from their point of view ?

The Honourable Sir Harry Haig : Unfortunately the grant of a passport is not equivalent to an order of externment from India. He will always return.

ARRESTS AND DETENTION IN CONNECTION WITH ALLEGED REVOLUTIONARY ACTIVITIES IN THE DELHI PROVINCE.

96. ***Mr. Gaya Prasad Singh :** Will Government please furnish :

- (a) the figures of the total arrests and detention of young men effected in connection with alleged revolutionary activities in the Province of Delhi from July, 1932, to June, 1933 ;
- (b) the average period during which such arrested persons had to remain in Police custody ;
- (c) the number of such arrested persons sent up for trial and convicted ;
- (d) the number of young men externed from Delhi Province during the above period ; and
- (e) the number of young men interned in the different wards of the city or subjected to similar orders under the Emergency Powers Ordinance and the Punjab Criminal Law Amendment Act of 1932 ?

The Honourable Sir Harry Haig : (a) 55.

(b) 12.7 days.

(c) 43 were sent up for trial and 37 were convicted.

(d) 37 persons were externed from the Delhi Province during the period in question. All belonged to other provinces. They were by no means all young men.

(e) 21 restriction orders were passed during the period under the Emergency Powers Ordinance all of which lapsed at the end of 1932. Seven restriction orders were passed under the Punjab Criminal Law Amendment Act during the first six months of 1933.

Mr. M. Maswood Ahmad : Are Government prepared to allow those gentlemen who have been disallowed to enter Delhi and who are not members of such organisations which have any connection with the Civil Disobedience Movement now ?

The Honourable Sir Harry Haig : I am afraid I did not quite gather the purport of the Honourable Member's question.

Mr. M. Maswood Ahmed : I want to know if Government are prepared to allow those men who are not members of any organisations which have anything to do with the Civil Disobedience Movement now to enter into Delhi ?

The Honourable Sir Harry Haig : I think this question refers to revolutionary activities and not primarily to civil disobedience.

Mr. M. Maswood Ahmad : Very well. I will give a notice for this question.

REMAND TO POLICE CUSTODY OF PERSONS ARRESTED FOR DISTRIBUTING
UNAUTHORISED LEAFLETS IN DELHI.

97. *Mr. Gaya Prasad Singh : (a) Is it a fact that persons arrested in connection with the distribution of unauthorised leaflets in Delhi are invariably remanded to Police custody where they are detained for more than the maximum period allowed by the Criminal Procedure Code ?

(b) Has it come to the notice of Government that some of such arrested persons have been kept in Police lock-ups for a month without the sanction of the Local Government ? Are Government prepared to enquire into this ?

The Honourable Sir Harry Haig : (a) No.

(b) No person has been detained in police custody beyond the legal period or without proper orders.

Mr. Lalchand Navalrai : May I know from the Honourable Member if when the police time of 24 hours expires, these people are also taken before a magistrate for taking a remand under section 167 ?

The Honourable Sir Harry Haig : Yes, Sir. Certainly.

NON-RELEASE ON BAIL OF PERSONS ARRESTED FOR OFFENCES UNDER SECTION
18 OF THE EMERGENCY PRESS ACT, 1931, IN DELHI.

98. *Mr. Gaya Prasad Singh : (a) Is it a fact that persons arrested for offences under section 18 of the Emergency Press Act, 1931, in Delhi are not released on bail and that to make the offence non-bailable they are given out as arrested and detained under sections 302|117 and 115, I. P. C. ? How many of such arrested persons have been challaned under sections

302|117 and 115, I. P. C. from July, 1932, to June, 1933, and with what results ?

The Honourable Sir Harry Haig : There have been four cases relating to the publication and distribution of red revolutionary leaflets. These cases were registered under sections 115|117, Indian Penal Code. So far, one person has been convicted in connection with the publication of these leaflets under section 18 of the Indian Press (Emergency Powers) Act, 1931.

INDIAN STUDENTS OUTSIDE INDIA.

99. ***Mr. M. Maswood Ahmad :** Will Government please state the number of Indian students in the United States of America, Canada, United Kingdom and in other countries outside India ?

Mr. G. S. Bajpai : I would refer the Honourable Member to section II and appendix IV of the Report on the work of the Education Department of the High Commissioner for India for the year 1931-32, which give all the available information. A copy of the Report is available in the Library of the House.

Mr. Lalchand Navalrai : Cannot the Honourable Member give the number of students ?

Mr. G. S. Bajpai : I can, but not in great detail. There are 1,753 in Great Britain and Ireland, 195 in the United States of America and 117 on the Continent of Europe.

CONSTRUCTION OF THE NEW NARBADA BRIDGE ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

100. ***Mr. M. Maswood Ahmad :** (a) Will Government please state whether sanction of the Legislative Assembly was obtained for the purpose of providing funds to the Bombay, Baroda and Central India Railway for constructing the new Narbada Bridge ?

(b) Will Government be pleased to state from which firm the steel for the Narbada Bridge has been purchased and in what quantity ?

Mr. P. R. Rau : (a) Yes. (The work was first included in the budget for 1931-32).

(b) The contract for the fabrication, supply and erection of the necessary steel work, amounting to about 13,000 tons, has been placed with Messrs. Braithwaite and Company (India), Limited.

Mr. Gaya Prasad Singh : Is it an indigenous company or a foreign company ?

Mr. P. R. Rau : It is a firm registered in India.

Mr. K. O. Neogy : Do they manufacture steel ?

Mr. P. R. Rau : They fabricate the steel work required. The steel is, I believe, got from Tatas.

Mr. M. Maswood Ahmad : With a rupee capital ?

Mr. P. R. Rau : I want notice of the question.

PAY OF NEW ENTRANTS TO THE INDIAN CIVIL SERVICE AND THE INDIAN POLICE SERVICE.

101. ***Mr. M. Maswood Ahmad** : (a) Will Government please state whether they have placed before the Secretary of State in Council their views in regard to the pay of new entrants to the Indian Civil Service and the Indian Police Service ?

(b) Will Government be pleased to lay on the table the decision of the Secretary of State in Council on their proposal ?

The Honourable Sir Harry Haig : (a) and (b). Local Governments have been consulted and their views are at present under consideration by the Government of India.

Mr. M. Maswood Ahmad : By what time the Government of India will decide this question, as it is more than a year since which this question has been hanging ?

The Honourable Sir Harry Haig : I do not know if it is pending for more than a year. But the Honourable Member will realise that while the Assembly is in Session, it does not leave very much time to the Government of India to make progress with controversial questions outside.

Mr. Lalchand Navalrai : Will the Honourable Member tell me if any suggestions were sent on this question to the Joint Parliamentary Committee ?

The Honourable Sir Harry Haig : No, Sir ; no suggestions at all.

INTRODUCTION OF NEW SCALES OF PAY FOR NEW ENTRANTS TO SERVICES UNDER THE CONTROL OF THE GOVERNMENT OF INDIA.

102. ***Mr. M. Maswood Ahmad** : Will Government be pleased to state the result of their consideration of the proposal to introduce revised scales of pay for new entrants to services which are under their control ?

The Honourable Sir George Schuster : Revised scales of pay for new entrants to services under the control of the Government of India are in the course of publication.

CONSULTATION WITH THE LOCAL ADVISORY COMMITTEES ON DIFFERENT RAILWAYS IN FIXING RATES FOR EATABLES AND AERATED WATER.

103. ***Mr. M. Maswood Ahmad** : (a) Will Government be pleased to state whether local Railway Advisory Committees are consulted in fixing the rates for eatables and aerated water sold on Railways including the stations ?

(b) Are Government aware that rates for food and aerated water have gone down for the last two or three years ?

(c) Do Government propose to fix the rate for eatables and aerated water in consultation with the Local Advisory Committees on different Railways every year ?

Mr. P. B. Rau : (a) Not generally.

(b) Yes.

(c) I understand these rates which are fixed by Railway Administrations with reference to local conditions are open to discussion by the Advisory Committees whose views will, I have no doubt, be taken into careful consideration by the Administration.

Mr. M. Maswood Ahmad : Are not Government sure of their reply, because the words " I understand " have been used by my Honourable friend, Mr. Bajpai ?

Mr. P. R. Rau : I have not consulted each individual railway administration.

Mr. Lalchand Navalrai : What are the reasons for the Honourable Member not consulting the members of the Advisory Committee on this important question ?

Mr. P. R. Rau : If any member of the Advisory Committee wants to take up this question, I am sure, he will have full opportunity for raising this question in the Committee.

Mr. M. Maswood Ahmad : If certain questions are raised by members of the Advisory Committee, is it not in the hands of the chairman of the committee to allow them or not ?

Mr. P. R. Rau : Is the Honourable Member in a position to state that this question has been raised by a member of the Committee and has been disallowed ?

Mr. M. Maswood Ahmad : My question was, whether it was not in the hands of the Chairman to allow or to reject any question suggested by a member of a Committee ?

Mr. P. R. Rau : The Chairman of every Committee usually has that right.

Mr. Gaya Prasad Singh : Is it not a fact that no question could be brought forward in the local Advisory Committee without the previous sanction of the Chairman of the Committee who is invariably the Agent of the railway concerned ?

Mr. P. R. Rau : The preparation of the agenda for the Committee is usually subject to the approval of the Chairman.

Mr. Lalchand Navalrai : Is the Honourable Member aware that sometimes the Agents do hold such questions, sometimes relevant and other times irrelevant, when they are put before the Advisory Committee ?

Mr. P. R. Rau : Can the Honourable Member give me any instance where any Agent had held such questions irrelevant ?

Mr. Lalchand Navalrai : I am asking whether in his experience he has got information from Agents as to how they treat such questions.

Mr. P. R. Rau : I have no experience of such Advisory Committees.

Mr. Lalchand Navalrai : Will the Honourable Member enquire from the Agents ?

Mr. P. R. Rau : Not unless a *prima facie* case is made out for making an enquiry.

Mr. Lalchand Navalrai : Why should the Honourable Member shirk asking the Agents ? An Honourable Member has made the allegation....

Mr. President (The Honourable Sir Shanmukham Chetty) : Which Honourable Member makes the allegation ?

Mr. Lalchand Navalrai : Mr. Maswood Ahmad has made it.

Mr. President (The Honourable Sir Shanmukham Chetty) : That a question of this nature was turned down by the Chairman of any particular Advisory Committee ?

Mr. Lalchand Navalrai : Not of this particular question, but that it is in the hands of the Chairman whether to accept or not.

Mr. President (The Honourable Sir Shanmukham Chetty) : Does any Honourable Member make a statement here that questions of this nature are turned down by the Chairman of Local Advisory Committees when they are sought to be raised by members ?

Mr. Lalchand Navalrai : In reply to the Chair, I would say that I had been a member of an Advisory Committee and questions like this—I cannot at present exactly remember with reference to all these articles—but questions such as these have been turned down by the Agents as not being relevant. I am asking my Honourable friend only to make enquiries from the Agents whether they allow such questions ?

Mr. P. R. Rau : I do not think that it is reasonable for me to ask all railway administrations whether they have, as a matter of fact, refused to allow discussions of questions vaguely described like these.

Mr. Lalchand Navalrai : You may ask the Agent of the North Western Railway.

Mr. P. R. Rau : On what particular point ?

Mr. Lalchand Navalrai : With regard to eatables and aerated water.

Mr. P. R. Rau : I have already promised the House that if any Honourable Member can give me any instance of this sort that a question relating to eatables and aerated waters or even the general question connected with vending on the station platforms has been disallowed by any Agent, I shall certainly be prepared to make enquiries.

Mr. Lalchand Navalrai : That will be a complaint against the Agent. I am asking for the laying down of certain procedure. Is the Honourable Member prepared to ask the Agents on that subject ?

Mr. P. R. Rau : I have already told the House that the inclusion of items in the agenda is subject to the permission of the Chairman who happens to be the Agent and, I am sure, the House will understand that considerations of time and giving full opportunity for discussion make such a rule necessary.

Mr. Gaya Prasad Singh : Is it not a rule for the guidance of the Local Advisory Committees that no business can be put on the agenda without the previous sanction of the Chairman of that Committee, and that the Chairman of the Committee has absolute discretion in allowing or not allowing a particular item to be put on the agenda ?

Mr. P. R. Rau : I dare say that there is such a rule, but I have already explained to the House that such a rule is necessary for the proper conduct of business.

Mr. M. Maswood Ahmad : Do Government propose to ask the Agents to place before the Local Advisory Committees all the rates for eatables and aerated waters for their information and discussion there ?

Mr. P. R. Rau : I believe this question is among the list of business for discussion in the Central Advisory Committee on Railways at the next meeting and I suggest that a discussion of this subject would be more appropriate there than in this House.

DISPROPORTION OF CERTAIN APPOINTMENTS ON THE NORTH WESTERN RAILWAY.

104. ***Mr. M. Maswood Ahmad :** Will Government be pleased to state the result of their investigation regarding the disproportionately small number of non-reserved appointments on the North Western Railway for which alone the Inspectors are eligible as compared with other Railways ?

Mr. P. R. Rau : The seeming disproportion is due to the fact that the North Western Railway was a State-managed Railway where the accounts and audit had been combined under the Auditor General and consequently, in order to safeguard the interests of the then existing staff, a larger number of posts had to be reserved for the Audit Department when separation was effected.

EDUCATIONAL REQUIREMENTS OF THE NEW INDIAN ARMY.

105. ***Mr. M. Maswood Ahmad :** Will Government be pleased to state whether the question of providing for the educational requirements of the new Indian Army has yet been considered or not ?

Mr. G. R. F. Tottenham : The question has been considered and it has been decided that no immediate change can be made in the system by which British officers of the Army Educational Corps are supplied to meet the educational requirements of the Indian Army. As soon as qualified Indian commissioned officers become available through the normal channels, the question will be taken up of seconding them for educational duties with Indian troops.

Mr. Lalchand Navalrai : Is there any correspondence going on to increase the number of cadets in the Dehra Dun College ?

Mr. G. R. F. Tottenham : I do not quite see, Sir, how that question arises in this connection.

Mr. Lalchand Navalrai : With regard to this particular question, I want to know whether there is any scheme for enhancing the number of cadets in the Prince of Wales College and the Academy.

Mr. G. R. F. Tottenham : I think, if the Honourable Member wishes to have information on that point, he should put down a separate question. There is nothing at all in this question on that point.

Mr. Lalchand Navalrai : Will the Honourable Member take this as a notice ?

Mr. G. R. F. Tottenham : No, Sir. I understand that a Resolution has been tabled on this subject which will very likely come up for discussion in the course of the present Session.

AGE LIMIT FOR CERTAIN APPOINTMENTS IN THE ARMY.

106. ***Mr. M. Maswood Ahmad :** (a) Is it a fact that the age limit is waived in the case of British Warrant Officers selected for commissions

in the Army Educational Corps and Quartermaster's appointments in the Training Battalions of the Indian Army ?

(b) Will Government be pleased to state the reasons for not including in the scheme the waiving of the age limit for the Indian officers (with the Viceroy's commission), if they fulfil other required conditions for the grant of King's commission ?

Mr. G. R. F. Tottenham : (a) Yes, but the men so promoted cannot hope to hold other appointments or to attain high rank in the Army.

(b) The source from which the Indian Commissioned Officers will be obtained for educational duties has not yet been finally settled ; but the general intention, in order to secure the necessary standard of educational qualifications and adequate opportunities for promotion to the highest rank, is that all the commissioned officers required for the new Indian Army should be obtained from the Indian Military Academy.

Mr. M. Maswood Ahmad : Is it a fact that this subject, which is mentioned in part (b) of the question, was under discussion even in 1932 ?

Mr. G. R. F. Tottenham : I think the matter was started by a question which was asked in this House in 1932.

REPLACEMENT OF BRITISH CLERKS AT THE HEADQUARTERS OF COMMANDS OF THE INDIAN ARMY BY INDIAN CLERKS.

107. ***Mr. M. Maswood Ahmad :** Will Government be pleased to state the reasons for not replacing the British clerks of the higher grades at the Headquarters of Commands of the Indian Army by Indian clerks ?

Mr. G. R. F. Tottenham : The Corps of clerks consists of a British Wing and an Indian Wing ; and the higher grades in each wing are filled by promotion from the lower. The strength of the Indian Wing has been increased more than once since 1924 ; and the possibility of increasing it further and reducing the strength of the British Wing will be kept in mind. But an extension of Indianisation must be started from the bottom and cannot be applied direct to the higher grades.

CERTAIN SCHEMES IN OPERATION IN JAPAN.

108. ***Mr. M. Maswood Ahmad :** Will Government be pleased to state whether or not the starred questions Nos. 49 to 53, regarding certain schemes in operation in Japan, asked on the 2nd February, 1933, and their answers were sent to Local Governments for information ?

Mr. G. S. Bajpai : No, Sir.

RE-PAYMENT OF WAR DEBTS BY ENGLAND OUT OF THE SILVER RESERVES TRANSHIPPED FROM INDIA.

109. ***Mr. S. C. Mitra** (on behalf of Mr. Bhuput Sing) : (a) Will Government be pleased to state whether their attention has been drawn to the statements of the Presidents of Indian Chambers of Commerce recently published in the Press, about the re-payment of War Debts by England on 15th June last out of the silver reserves transhipped from India or lying in London to India's credit ?

(b) What reply have the Government to offer with respect to the allegations made therein ?

(c) Were the Indian Government consulted beforehand ? If so, what reply did they give ?

(d) Is the story of the alleged loss to India of one crore of rupees from this transaction correct ?

(e) What was India's share of the contribution made to the payment of the War Debts by England ?

The Honourable Sir George Schuster : (a) Yes.

(b), (d) and (e). The attention of the Honourable Member is invited to the answer to starred question No. 89 asked today by Seth Haji Abdoola Haroon.

(c) Yes. They approved.

TRANSFER OF THE SUPAUL AND MADHIPURA SUB-DIVISIONS IN THE BHAGALPUR DISTRICT TO PURNEA DISTRICT FOR INCOME-TAX PURPOSES.

110. ***Mr. S. C. Mitra** (on behalf of Mr. Bhuput Sing) : (a) Will Government be pleased to state the reasons why the Supaul and Madhipura Sub-Divisions in the Bhagalpur District have been transferred to Purnea District for Income-tax purposes ?

(b) Are Government aware of the considerable inconveniences caused to the assesseees especially of Supaul Sub-Division by this transfer in having to go all the way to Purnea for the hearing of their cases ?

(c) Have any instructions been issued to the Income-tax Officers of Purnea to fix the cases of the assesseees of these two sub-divisions at the headquarters of these sub-divisions without requiring their attendance at Purnea ? If not, why not ?

The Honourable Sir George Schuster : (a) Supaul and Madhipura sub-divisions of the Bhagalpur District have been transferred to Purnea in consequence of the re-distribution of Income-tax Circles in the Province as a measure of economy. The areas adjoin and some parts of Madhipura sub-division are more easily accessible from Purnea than from Bhagalpur.

(b) and (c). General instructions have been issued to all income-tax officers to fix cases and examine accounts as far as possible at centres near the place of business of these assesseees and in consequence they will not have to go to Purnea.

PAYMENT OF REFUNDS TO INCOME-TAX ASSESSEES.

111. ***Mr. S. C. Mitra** (on behalf of Mr. Bhuput Sing) : (a) Will Government be pleased to state whether they are aware that it has become a practice amongst the Income-tax authorities not to pay refunds unless applications after applications and hard "*Pairbis*" are made by the assesseees involving considerable inconveniences and unnecessary expenses to them ?

(b) Do Government intend issuing instructions to the Income-tax authorities to send all refunds whether arising from appeals or under sections 18 and 27 to the assesseees by money order or by cheques to the assesseees without waiting for applications from them and to prepare a monthly statement of all refunds due and paid ?

(c) Do Government propose to give refunds of income-tax promptly keeping in view that the accounts should remain clear and adjusted ?

The Honourable Sir George Schuster : (a) No.

(b) Instructions have already been issued by the Commissioner of Income-tax to the Income-tax Officers regarding the payment of refunds without application. Monthly statements of refunds due and paid are always prepared and duly verified.

(c) Yes.

DEATH OF PRISONERS FROM HUNGER-STRIKE IN THE ANDAMANS.

112. ***Mr. S. C. Mitra** (on behalf of Mr. Bhuput Singh) : (a) Will Government be pleased to state the total number of prisoners at present confined in the Andamans ?

(b) How many of these are political prisoners ?

(c) What is the total number of deaths till to-day from the recent hunger-strike there ?

The Honourable Sir Harry Haig : (a) The total number of prisoners at present confined in the Andamans is 6,537.

(b) There are 112 terrorist prisoners.

(c) I would refer the Honourable Member to the answer given by me to Mr. Gaya Prasad Singh's starred question No. 31 on the 23rd August.

OPINIONS ABOUT THE UNIFICATION OF STANDARDS OF THE MEDICAL LICENTIATES.

113. ***Mr. S. C. Mitra :** (a) Is it a fact that the Government of India have asked for the opinion of the Provincial Governments regarding the question of unification of standards of the medical licentiates ?

(b) Have they issued any instructions as to the medical and public bodies whose opinions are to be forwarded to the Government of India ?

(c) Are Government aware that in the Presidency of Bengal the only body that is asked to give opinion is the State Medical Faculty ?

(d) Are Government aware that the State Medical Faculty is a purely nominated body with the Surgeon-General as President and it is a purely examining board not entrusted with the control or fixing the standard of medical qualifications ?

(e) Are Government prepared to enquire why the Bengal Government did not consult the (a) Council of Medical Registration, (b) Indian Medical Association, or other similar public bodies ?

(f) Will Government be pleased to state whether the other Local Governments also followed the same procedure as in Bengal by consulting the State Medical Faculties or similar examination boards in those provinces ?

(g) What steps are the Government of India taking to secure the opinion of the non-official medical associations or other public bodies ?

Mr. G. S. Bajpai : (a) Yes.

(b) No.

(c) and (d). Yes.

(e), (f) and (g). The Government of India asked for the views of Local Governments and left it to them to decide whether they should formulate their views, in consultation with medical associations and other public bodies or independently. Some Local Governments appear to have resorted to consultation with other bodies. The Bengal Government consulted only the State Medical Faculty, which had recently been discussing the question of raising the standards for licentiatees.

Mr. Lalchand Navalrai : Has the Honourable Member received the replies from Provincial Governments ?

Mr. G. S. Bajpai : Yes, Sir ; replies have all been received from the Local Governments and circulated to members of the Select Committee on the Bill.

BAN ON GOVERNMENT SERVANTS FROM JOINING THE INDIAN MEDICAL ASSOCIATION AS MEMBERS.

114. ***Mr. S. C. Mitra :** (a) Is it a fact that the Government of India issued a circular drawing the attention of the medical men in Government services to the following clause of the Rules of the Indian Medical Association :

Rule No. 2 (i).—“ Support the candidature of a member or members of the Association for any medical or legislative bodies or any public body in which questions affecting public health, the medical profession, medical education and medical relief are considered.” †

(b) Are the Government of India aware that the Indian Medical Association has since taken steps to do away with the said clause ? If so, are Government now prepared to withdraw the ban on Government servants for joining the Indian Medical Association as members ? If not, why not ?

Mr. G. S. Bajpai : (a) The Government of India have issued no such circular. They informed the Indian Medical Association in March, 1933, that as one of the objects of the Association, as defined in rule 2 (i) of its rules, was to support the candidature of members of the Association for legislative bodies, a Government servant could not become a member of the Association without bringing himself within the mischief of sub-rule (2) of rule 23 of the Government Servants' Conduct Rules. A copy of this letter was sent to Local Governments.

(b) Yes. The Association had already been informed that, if rule 2 (i) of its rules were deleted, the provisions of sub-rule (2) of rule 23 of the Government Servants' Conduct Rules would not act as a bar to Government servants joining the Association.

GRIEVANCES OF THE STATE PRISONERS CONFINED IN THE DAMOH SUB-JAIL.

115. ***Mr. S. C. Mitra :** (a) Will Government be pleased to state if Messrs. (1) Bhupati Mazumdar, (2) Suresh Chandra Das, (3) Purna Chandra Das, and (4) Jyotish Chandra Ghosh, all State prisoners under Regulation III of 1818, are at present confined in the Damoh Sub-Jail in the Central Provinces ?

(b) Is it a fact that they are confined in a small ward of the above-mentioned sub-jail for the last one year and a half and not allowed to have any exercise outside the yard ?

(c) Is it a fact that Messrs. Purna Chandra Das and Bhupati Mazumdar have long been suffering from eye troubles and their repeated requests to the Superintendent of the Jail for having their eyes examined by a specialist have not been acceded to ?

(d) Do Government propose to take immediate necessary steps in the matter ?

(e) Is it a fact that these State Prisoners applied to the Central Provinces Government for an increase in their diet allowance and both the official and non-official visitors of the Damoh Sub-Jail including Mr. Ekramulla, Assistant Deputy Commissioner, recommended the increase several times ?

(f) Is it not a fact that some of their staple food is brought from Calcutta and other distant places, paying freight charges, and in this a considerable portion of their present diet allowance, viz., Rs. 1-8-0 each per diem is spent ?

(g) Do Government propose to sanction an increase in the diet allowance of these State Prisoners as recommended by the local jail visitors ?

The Honourable Sir Harry Haig : (a) Yes.

(b) The State Prisoners are allowed to move about freely in the yard.

(c) and (d). The eyes of the State Prisoners are being tested as they complain of occasional headache from eye-strain, which is due to excessive reading. There is nothing seriously wrong with them. Their eye-sight was tested last year but no special action was considered necessary.

(e) No representation has been received from the State Prisoners since the dietary allowance was last fixed, beyond a verbal request to the Sub-Divisional Magistrate, Damoh.

(f) I would refer the Honourable Member to the reply given by me to his question No. 826 on the 26th September last.

(g) It is not considered that there is any necessity to raise the rate of diet allowance.

Mr. K. C. Neogy : Is it a fact that prisoner No. 4, Jyotis Chandra Ghosh, has been suffering from paralysis and has been confined to bed for some time ?

The Honourable Sir Harry Haig : I am afraid I have no information with me at the moment on that point.

Mr. K. C. Neogy : Is it not a fact that Regulation III of 1818 requires periodical reports, bearing particularly on the health of the State Prisoners, to be supplied to the Government of India ?

The Honourable Sir Harry Haig : That is perfectly true, and these reports are supplied.

Mr. K. C. Neogy : Is there any responsible officer in the Home Department who makes it his duty to look into these reports regularly as soon as they come ?

The Honourable Sir Harry Haig : Yes, Sir.

Mr. K. C. Neogy : Does the Honourable Member himself have any opportunity or occasion to look into them ?

The Honourable Sir Harry Haig : They are frequently put up to me whenever any special matter requires my attention.

Mr. K. C. Neogy : When was any such report placed before the Honourable Member for the last time ?

The Honourable Sir Harry Haig : I think, Sir, I have probably examined certain reports in connection with the answer to this very question.

Mr. K. C. Neogy : So is it only when questions are asked in this House that these reports ever come to the knowledge of the Honourable Member ?

The Honourable Sir Harry Haig : No, Sir ; I do not think it would be fair to make that assumption.

Mr. K. C. Neogy : Will the Honourable Member inquire into the statement that I have made with reference to the condition of health of this particular prisoner ?

The Honourable Sir Harry Haig : Yes, Sir, I shall be pleased to do so.

Mr. S. C. Mitra : Are Government prepared to consider the question of transferring these prisoners from one jail to another when they are confined for a long time in a small yard in a particular jail ?

The Honourable Sir Harry Haig : I do not think there is any case at present for the transfer of these prisoners.

Mr. S. C. Mitra : I shall make my question clearer. When a person is confined in one jail in a small yard for months or years together, will Government consider the question of transferring him to other places for a change of climate or place ? I speak from personal experience ; it is a great strain to be confined in the same place for years in a small yard.

The Honourable Sir Harry Haig : All I can say is that I do not think, from the medical reports received, that there is sufficient reason for considering the transfer of these prisoners from Damoh.

Mr. S. C. Mitra : Arising from the reply to part (f), about their diet allowance of Rs. 1-8-0 a day, has the Honourable Member considered the particular point raised that the major portion of the daily allowance is spent on freight charges ?

The Honourable Sir Harry Haig : The diet allowance is fixed in consideration of the local prices, which would no doubt include the cost of freight.

Mr. S. C. Mitra : The Honourable Member has, I think, missed my point : it is not of the local price of these things that I asked, but of food-stuffs that must be obtained from distant places like Calcutta.

The Honourable Sir Harry Haig : By local prices I mean the prices at which the articles are available in the locality.

Mr. S. C. Mitra : And if they are not available in the locality but have to be brought down from distant places, will Government then consider the question of freight ?

The Honourable Sir Harry Haig : My point is that it is taken into account.

Mr. M. Maswood Ahmad : Is it a fact that the reason for the headache has been stated by the Honourable Member to be due to much reading ?

The Honourable Sir Harry Haig : Yes.

Mr. M. Maswood Ahmad : Are Government aware of what the other reasons are for this headache ?

The Honourable Sir Harry Haig : I think that is a medical question and should be addressed to some other Honourable Member.

CENSORSHIP OF THE CORRESPONDENCE OF POLITICAL PRISONERS.

116. ***Mr. S. C. Mitra :** (a) Is it a fact that the correspondence of the political prisoners is censored ?

(b) If so, who is responsible for censoring the letters of the Bengali State Prisoners ?

(c) Is it a fact that the censoring authorities withhold the letters written by the State Prisoners to their relatives without assigning any reason ?

(d) If so, do Government propose to inform these State Prisoners as to the objectionable matters in those letters ?

(e) Is the censor of letters guided by any rule or principle approved of by the Government of India ?

(f) If so, will the Honourable the Home Member be pleased to place a copy of those rules on the table ?

(g) Is it a fact that the censor takes a long time, sometimes months, to inform the prisoners concerned about withholding of the letters ?

(h) Are Government prepared to issue necessary instructions to make better arrangement in the matter of censoring ?

The Honourable Sir Harry Haig : (a) and (b). I would invite the attention of the Honourable Member to the reply given by me on the 27th February, 1933, to parts (a), (b) and (c) of his question No. 526.

(c) Yes.

(d) This is not considered necessary.

(e) No rules have been framed by the Government of India as none are considered necessary.

(f) Does not arise.

(g) and (h). I would refer the Honourable Member to the answer given by me on the 27th February last to parts (d) and (e) of his question No. 526.

Mr. S. C. Mitra : Arising out of the answer to part (d), if the political prisoners are not informed why objection is taken to particular

passages, how can they rectify in future when writing their letters and guard themselves against being censored ?

The Honourable Sir Harry Haig : I think they will be able to form their own opinions.

Mr. S. C. Mitra : In a big letter if a particular portion is considered objectionable and, on that account, the whole letter is withheld and the State Prisoner is not informed of the reason, how can he infer what portion is considered objectionable by the Government ?

The Honourable Sir Harry Haig : I do not think he would have much difficulty in forming his opinion.

NON-SUPPLY OF CERTAIN BOOKS TO STATE PRISONERS CONFINED IN THE DAMOH SUB-JAIL.

117. ***Mr. S. C. Mitra :** (a) Is it a fact that the jail authorities in the Damoh Sub-Jail did not allow such books as "Pak Pronali" (art of cooking in Bengali) and the Prime Minister Mr. Ramsay MacDonald's book named "Socialism" to the State Prisoners confined there ?

(b) Is there any special staff meant for censoring of the books supplied to the political prisoners ?

(c) If so, what are their qualifications ? Why was the book, "Pak Pronali" forbidden ?

(d) Is it a fact that a well-known Bengali drama named "Nildarpan" was sanctioned for Mr. Jyotish Ghosh whereas disallowed in the case of Mr. Suresh Das, both of whom are State Prisoners in the same jail ?

(e) If so, will the Honourable the Home Member be pleased to state the reasons for this discriminating treatment ?

The Honourable Sir Harry Haig : (a) "Pak Pronali" was allowed but none of the books on "Socialism", including Mr. Ramsay MacDonald's book were allowed. I am making further enquiries about this.

(b) Yes.

(c) The staff works under the control of a Superintendent of Police. The second part of the question does not arise in view of the reply to (a).

(d) Yes.

(e) The disallowance in the case of State Prisoner Suresh Das was due to an oversight which was subsequently set right.

Mr. K. C. Neogy : Is it not a fact that a book on cookery can be as dangerous as a book on communism ?

The Honourable Sir Harry Haig : You mean to the physical condition of the prisoner ?

Mr. K. C. Neogy : Yes.

SEARCH BY POLICE OF THE ROOM AND BELONGINGS OF STATE PRISONERS CONFINED IN THE DAMOH SUB-JAIL.

118. ***Mr. S. C. Mitra :** (a) Is it a fact that the Deputy Superintendent of Police of Saugor (a district in the Central Provinces) went to the Damoh jail by the middle of last March to search the room and belongings of the State Prisoners confined there ?

(b) Is it true that the State Prisoners objected to the police search and wanted to see the search warrant but the above-mentioned police officer did not pay heed to their objection and no authority for the search was shown to them ?

(c) Is it a fact that the Police Officer searched the belongings of the State Prisoners for six hours from 12 A.M. to 6 P.M. and seized some notebooks ?

(d) Will the Honourable the Home Member be pleased to state under what section of the Criminal Procedure Code and under what special circumstances the search was authorised and by whom ?

The Honourable Sir Harry Haig : (a) Yes.

(b), (c) and (d). The search in question was made as information was received that one of the State Prisoners had prepared a scheme of communistic activities. During the course of the search a notebook was seized which contained a scheme for the organisation of Communist societies. A search warrant under Chapter VII of the Criminal Procedure Code is not necessary for the search of a prisoner or his cell in jail which is permissible under the Jail Rules.

FORCED FEEDING OF MAHABIR SINGH, A LATE POLITICAL PRISONER IN THE CELLULAR JAIL, ANDAMANS.

119. ***Mr. S. C. Mitra :** (a) What were the weights of Mahabir Singh, one of the deceased political prisoners in the Cellular Jail, Andamans :

- (i) While in Indian Jail before a month of his transfer to the Andamans,
- (ii) At the time of transfer to the Andamans,
- (iii) Just after arrival in the Andamans,
- (iv) On the day he began hunger-strike,
- (v) On the 17th May when forced feeding was taken recourse to ?

(b) What was the special condition in his case after five days' hunger-strike which compelled the medical authorities to advise forced feeding ?

(c) Is it not a fact that for ordinary adult persons abstention from food for 10 or 12 days does not lead to the risk of life ?

(d) Did the Jail authorities in the Andamans consider Mahabir Singh to have been the ring-leader of the hunger-striking prisoners and consequently wanted to teach him a lesson ?

(e) Is there any truth in the rumour that the jailor with heavy boots sat upon the chest of Mahabir Singh so that his mouth may be opened when Mahabir resisted ?

(f) Is it not a fact that Mahabir vomitted blood just after the operation of such forced feeding ?

(g) Why of all prisoners was Mahabir Singh selected first for forced feeding ?

(h) How many persons pressed his chest to make his mouth open ? Were any blows given on his face ?

The Honourable Sir Harry Haig : (a) Mahabir Singh's weight was 127 lbs. on admission to the Cellular Jail, Port Blair, and 128 on April 24, 1933, that is 18 days before the hunger-strike began. No further information in regard to his weight is available.

(b) The prisoner had lost condition rapidly and in the opinion of the Senior Medical Officer it was necessary to begin to feed him, along with other prisoners, artificially on May 17.

(c) I am not aware of any general rule on the subject.

(d) Certainly not. The sole object of the authorities was to take the action which on medical grounds they thought most likely to avoid risk to life.

(e) There is no truth at all in the rumour.

(f) No.

(g) A number of prisoners on hunger-strike on May 17 were fed artificially. Mahabir Singh was not singled out for this treatment.

(h) No person pressed his chest and he was not struck on the face.

Mr. S. C. Mitra : Who is the special medical officer who suggested forcible feeding on the fifth day of the hunger-strike ?

The Honourable Sir Harry Haig : This was under the directions of the senior medical officer.

Mr. S. C. Mitra : I wanted to know what his qualification was ?

The Honourable Sir Harry Haig : He is an officer of the Indian Medical Service.

Mr. S. C. Mitra : Can the Honourable Member tell us from his wide experience throughout India whether, on the fifth or sixth day of a hunger-strike, forcible feeding was resorted to, say in the case of Mahatma Gandhi or any other person, ordinary or extraordinary ?

The Honourable Sir Harry Haig : I cannot say : I have not a record of the period that usually elapses before artificial feeding is resorted to ; but I have consulted medical opinion on what was done and, I am assured, that the circumstances may very well have justified the action.

Rao Bahadur B. L. Patil : Will the Honourable Member state what is the method of forcible feeding ?

The Honourable Sir Harry Haig : There is a later question on that subject.

DEATHS FROM PNEUMONIA IN JAILS IN THE ANDAMANS.

120. ***Mr. S. C. Mitra :** (a) How many deaths have occurred from pneumonia in the Andaman Jails during the last one year before the deaths of these hunger-striking prisoners ?

(b) If any, who are they and on what dates ?

(c) If not, why had these hunger-strikers a peculiar tendency to such attacks ?

(d) Is there anything peculiar in the atmosphere of the Andamans which easily gives rise to such a disease ?

(e) What process was adopted at the time of feeding these prisoners forcibly ?

(f) How many persons were requisitioned to set the feeding tube into the mouth or nostrils of each hunger-striker, when the latter resisted ?

(g) Is it a fact that it was considered necessary for some men to sit on the chest of each hunger-striker to frighten him and make his mouth open when he resisted ?

(h) If so, are those operations responsible for the present weakened state of the health of the hunger-strikers ?

(i) Do Government propose to see that recourse is not had to feeding by force in future and allowing the hunger-striking prisoners to die a peaceful death, if they so choose ?

The Honourable Sir Harry Haig : (a) Twenty three convicts in the Andamans died from pneumonia in 1932.

(b) The details are not available.

(c) Does not arise.

(d) Actually the incidence of pneumonia among prisoners in the Andaman jails is less than in the Indian jails taken as a whole and also less than in Bengal. The average incidence per thousand prisoners in the years 1922—1931 was 7.2 in the Andamans, 11.7 in the Indian jails as a whole, and 10.2 in Bengal.

(e) The prisoners were laid on a low bed with heads slightly raised on a pillow, attendants held the head and limbs steady, while the doctor inserted the tube.

(f) Few prisoners offered serious resistance and the tubes were ordinarily inserted without difficulty. In cases of resistance three or five men, according to the degree of resistance, were employed to keep the arms, legs and head steady while the doctor administered the food.

(g) No.

(h) Does not arise.

(i) It is not proposed to change the existing principle, in accordance with which it is considered to be the duty of the jail officials to do all they can to preserve the lives of prisoners.

STATEMENTS LAID ON THE TABLE.

The Honourable Sir Frank Noyce (Member for Industries and Labour) : Sir, I lay on the table :

- (i) a statement, furnished by the High Commissioner for India, showing all cases in which the lowest tenders have not been accepted by him in purchasing stores for the Government of India, during the half year ending the 30th June, 1933 ;
- (ii) the information promised in reply to starred question No. 576, asked by Mr. B. N. Misra on the 21st September, 1932 ; and
- (iii) the information promised in reply to a supplementary question to starred question No. 454 asked by Mr. M. Maswood Ahmad on the 23rd February, 1933.

HIGH COMMISSIONER

INDIA STORE

ABSTRACT OF CASES in which tenders for stores demanded by the Central Govern
goods demanded, were accepted on the grounds of superior quality,
inspection, quicker

HALF-YEAR ENDING

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
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PART A.—Cases in which lower foreign tenders, including British tenders for foreign

Nil.

PART B.—Cases in which the discrimination

			£ s. d.
Cotton tape, 670 rolls of 72 yards each.	N. 1911/4179/21-1-33 ..	J. Bonas & Son ..	58 19 2 (British).
Wire steel, extra flexible 5 cwt. minimum break- ing stress. 3,000 ft.	N. 1940/4134/27-1-33 ..	British Ropes, Ltd. ..	8 10 6 (British).
Transformers ..	N. 2118/4047/13-2-33 ..	Foster Engineering Co., Ltd.	40 15 0 (British).

PART C.—Cases in which the discrimination

Tyres, steel for car- riage & wagon wheels. No. 2,000.	P. 401/351/24-5-33 ..	H. J. Skelton & Co., Ltd., for 1,100 tyres.	1,870 0 0 (Hungarian).
	P. 402/351/24-5-33 ..	Vereinigte Stahlwerke A. G. Bochumer Verein. for 900 tyres.	1,575 0 0 (German).
		Total ..	3,445 0 0

PART D.—Cases in which lower British tenders have

Nil.

FOR INDIA.

DEPARTMENT.

ment, other than the lowest complying with the technical description of the superior trustworthiness of the firm tendering, greater facility of delivery, etc.

30TH JUNE, 1933.

Lowest Tender not accepted.	Reason for acceptance.
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made goods, have been set aside wholly or partially in favour of British tenders.

Nil.

is between British firms only.

£ s. d.	
55 16 3 (British).	The order was placed at the higher price as immediate delivery was offered from stock. The demand was by telegram and requested early shipment. Two lower tenders were passed over, each of which quoted a relatively long delivery.
8 5 0 (British).	The accepted tender was the better offer having regard to the cost of inspection.
40 0 0 (British).	The accepted tender was the more advantageous having regard to the cost of inspection.

is between Foreign firms only.

..	1,250 of the tyres were urgently required and as the time for delivery offered by the lowest tenderer was long the order was divided between that firm and the next lowest tenderer who offered considerably quicker delivery.
3,400 0 0 (Hungarian).	

been set aside in favour of foreign tenders.

Nil.

CONTRIBUTION BY THE GOVERNMENT OF INDIA TO CERTAIN PROVINCIAL GOVERNMENTS FOR CONSTRUCTION OF GOVERNMENT BUILDINGS.

*576. (a) 1,12,02,074.

(b) Nil.

RATIFICATION OF THE AIR CONVENTION OF 1914.

*454. There is no Air Convention of 1914.

The Honourable Sir Harry Haig (Home Member) : Sir, I lay on the table the information promised in reply to starred question No. 1181 asked by Mr. S. C. Mitra on the 10th April, 1933.

ADVISORY AND STANDING COMMITTEES OF THE VARIOUS DEPARTMENTS OF THE GOVERNMENT OF INDIA.

*1181.

Statement.

Department concerned.	Name of Committee.	Strength of Committee.	Number of meetings held during 1932-33.
Department of Education, Health and Lands.	General Standing Advisory Committee.	6 members	Nil.
	Standing Committee on Pilgrimage to the Hejaz.	9 members	2
	Standing Emigration Committee	14 members	2
Army Department	Indian Territorial Force Central Advisory Committee.	8 members	Nil.
Railway Department.	Standing Finance Committee for Railways.	12 members	7
	Central Advisory Council for Railways.	*25 members	1
Department of Commerce.	Standing Advisory Committee ..	5 members	Nil.
	Advisory Pilot Committee, Bengal	7 members	2
	Central Advisory Committee for Lighthouses and Lightships.	9 members	1
	Indian Accountancy Board ..	17 members	1
Department of Industries and Labour.	Standing Advisory Committee ..	6 members	'
	Standing Committee on Roads ..	12 members	:
Finance Department.	Standing Finance Committee ..	15 members	7
Home Department	Advisory Publicity Committee ..	15 members	Nil.

* Twelve members of the Standing Finance Committee for Railways are *ex-officio* members of the Central Advisory Council for Railways.

Major W. K. Fraser-Tytler (Foreign Secretary) : Sir, I lay on the table the information promised in reply to unstarred question No. 148 asked by Mr. M. Maswood Ahmad on the 30th March, 1933.

**SECRETARY TO THE BOARD OF HIGH SCHOOL AND INTERMEDIATE EDUCATION,
RAJPUTANA AND CENTRAL INDIA.**

148. (a) Yes. Following the practice of the United Provinces, the system was adopted for the Board when it was instituted in 1929.

(b) Yes. The proposal was not moved because the Chairman had already ordered that in future certificates should be signed by the Secretary.

(c) Yes. He is 58½ years old and retired in October, 1929.

(d), (e) and (f). Yes.

(g) Government regret they are not at present in a position to make any definite statement.

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands) : Sir, I lay on the table the information promised in reply to starred question No. 1086 asked by Pandit Satyendra Nath Sen on the 1st April, 1933.

TRADE CARRIED ON IN NEW DELHI.

*1086. (a) and (b). As already stated in my previous reply, no such notification as is referred to in part (a) of the question has been issued by the Government of India. The Government of India have, however, sanctioned the imposition of a terminal tax and a tax on cows and buffaloes in New Delhi. The former has been imposed to enable the rate payers of New Delhi to participate in the proceeds of the longstanding terminal tax imposed by the Delhi Municipal Committee, of which the New Delhi Municipal Committee had previously received no share. The area under the jurisdiction of the two Municipal Committees will be regarded as one for the purpose of this tax. The object of the cows and buffaloes tax is not to remove cattle from the New Delhi area but to prevent overcrowding and improve sanitation. The installation of meters in clerks' quarters is directed to the control of wastage of water.

(c) (1) The answer has been given above.

(c) (2) The trade carried on in the Gole Market and the Connaught Place areas in New Delhi is of a general character, and no statistics as to the annual value of any special trade in these areas are available.

Mr. P. R. Rau (Financial Commissioner, Railways) : Sir, I lay on the table :

- (i) the information promised in reply to starred question No. 635 asked by Seth Haji Abdoola Haroon on the 3rd March, 1933 ;
- (ii) the information promised in reply to starred questions Nos. 646 and 647 asked by Mr. B. N. Misra on the 6th March, 1933 ;
- (iii) the information promised in reply to parts (a) to (c) of starred question No. 846 asked by Pandit Satyendra Nath Sen on the 21st March, 1933 ; and
- (iv) the information promised in reply to starred question No. 999 asked by Mr. N. M. Joshi on the 28th March, 1933.

RE-APPOINTMENT OF RETRENCHED STAFF OF RAILWAYS IN THE INVERSE ORDER OF THEIR DISCHARGE.

*635. (a) Yes, subject to such adjustments as may be necessary to maintain the proportions of the various communities approximately at the levels at which they stood prior to retrenchment.

(b) and (c). Yes.

(d) Yes. It is understood that from length of service as a clerk Kanshi Ram is senior to Abdul Khaliq, but was incorrectly discharged first.

DEMOTION OF CERTAIN INSPECTORS OF CREWS ON THE EAST INDIAN RAILWAY.

*646. (a) Yes.

(b) (i) As a result of the abolition of the Crew System their posts were also abolished. But instead of being discharged from service, they were, as an alternative, offered posts in the new scheme on reduced pay and allowances.

(ii) The whole system was temporary and consequently none of them were confirmed.

(c) No.

(d) Yes.

(e) The answer to first part of the question is in the affirmative. As regards the latter part of the question, under the State Railway Provident Fund Rules only permanent staff can subscribe to the Fund.

(f) The answer to first part of the question is in the negative, the second part therefore, does not arise.

(g) The ticket checking staff have been permitted to retain the old scales of pay of the posts which they held substantively. The Inspectors of Crews referred to were only temporarily employed in the Crew System and on the abolition of that system were absorbed in the Moody-Ward Scheme on lower scales of pay and allowances to avoid discharge.

CONSOLIDATED ALLOWANCE OF INSPECTORS OF CREWS ON THE EAST INDIAN RAILWAY.

*647. The rates of consolidated allowance quoted are not quite correct. The correct rates are as follows :—

Staff drawing pay.					Consolidated allowance.	
					Rs.	
Less than Rs. 100	35
Rs. 100 to Rs. 199	50
Rs. 200 and over	55

(b) The Honourable Member's attention is invited to my reply to part (g) of his starred question No. 646.

RECRUITMENT OF QUALIFIED CLERKS AS ACCOUNTANTS IN THE EAST INDIAN RAILWAY ACCOUNTS DEPARTMENT.

*846. (a) The number of vacancies from August is nine. I am informed that these (as well as five permanent vacancies which occurred previously) were filled by the promotion of clerks eligible for promotion under the rules.

(b) I understand this is not the case.

(c) The question does not arise.

PROMOTION OF INDIAN ASSISTANT STATION MASTERS AS GUARDS IN THE MORADABAD AND LUCKNOW DIVISIONS, EAST INDIAN RAILWAY.

*999. Government are informed that the normal channel of promotion for Assistant Station Masters (Lower grade) is to Station Masters (Lower grade) and not to Guards and the question of such promotion does not, therefore, arise.

One Assistant Station Master has, however, been transferred to the Guard's List at his own request on the Lucknow Division since the amalgamation of the Oudh and Rohilkhand Railway with the East Indian Railway.

ELECTION OF THE STANDING COMMITTEE FOR THE DEPARTMENT OF COMMERCE.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways) : Sir, I beg to move :

“ That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three Non-Official Members to serve on the Standing Committee to advise on subjects in the Department of Commerce.”

Mr. M. Maswood Ahmad (Patna and Chota Nagpur *cum* Orissa : Muhammadan) : May I know, Sir, from the Honourable the Commerce Member how many meetings of the Standing Committee were held last year ?

The Honourable Sir Joseph Bhore : I regret I cannot give the Honourable Member the information straightaway, because I only returned from leave last October, but I know that I have just now circulated a notice inviting Members to meet early next month.

Mr. M. Maswood Ahmad : Thank you, Sir.

Mr. President (The Honourable Sir Shanmukham Chetty) : The question is :

“ That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three Non-Official Members to serve on the Standing Committee to advise on subjects in the Department of Commerce.”

The motion was adopted.

ELECTION OF THE STANDING COMMITTEE FOR THE DEPARTMENT OF INDUSTRIES AND LABOUR.

The Honourable Sir Frank Noyce (Member for Industries and Labour) : Sir, I beg to move :

“ That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three Non-Official Members to serve on the Standing Committee to advise on subjects, other than ‘ Roads ’ and ‘ Broadcasting ’, dealt with in the Department of Industries and Labour.”

Mr. M. Maswood Ahmad (Patna and Chota Nagpur *cum* Orissa : Muhammadan) : May I know, Sir, how many meetings of this Standing Committee were held last year ?

The Honourable Sir Frank Noyce : I shall be very glad to tell the Honourable Member. There were two meetings last year, there has been one this year, and I am arranging for another in the course of this Session. It is the endeavour of my Department to have a meeting of the Committee every Session.

Mr. President (The Honourable Sir Shanmukham Chetty) : The question is :

“ That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three Non-Official Members to serve on the Standing Committee to advise on subjects, other than ‘ Roads ’ and ‘ Broadcasting ’, dealt with in the Department of Industries and Labour.”

The motion was adopted.

Mr. President (The Honourable Sir Shanmukham Chetty) : I may inform Honourable Members that for the purpose of election of Members to the Standing Committees for the Departments of Commerce and Industries and Labour, the Assembly Office will be open to receive nominations upto 12 noon on Friday, the 1st September, and the elections, if necessary, for both the Committees, will be held on Monday, the 4th September, 1933. It is proposed to adopt the same procedure for holding the elections for these Committees as was followed in the case of some Committees during the last Delhi Session and Honourable Members will be informed of that procedure by a circular to-day. The elections will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE INDIAN STATES (PROTECTION) BILL.

The Honourable Sir Harry Haig (Home Member) : Sir, I move for leave to introduce a Bill to protect the Administrations of States in India which are under the suzerainty of His Majesty from activities which tend to subvert, or to excite disaffection towards, or to interfere with such Administrations.

The motion was adopted.

The Honourable Sir Harry Haig : Sir, I introduce the Bill.

THE COTTON TEXTILE INDUSTRY PROTECTION (SECOND AMENDMENT) BILL.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways) : Sir, I move for leave to introduce a Bill further to amend the Cotton Textile Industry (Protection) Act, 1930.

Mr. President (The Honourable Sir Shanmukham Chetty) : Motion moved :

“ That leave be granted to introduce a Bill further to amend the Cotton Textile Industry (Protection) Act, 1930.”

Mr. B. Das (Orissa Division : Non-Muhammadan) : Sir, if I go out of my way and become unconstitutional for once in opposing a Bill at the introduction stage, it is because the Honourable the Leader of the House has gone behind the pledge which he gave last Session on the floor of the House that he would publish the Report of the Tariff Board and then bring out a Bill whether any further protection could be given to the textile industry. This House gave ample power under the anti-dumping Act to the Government to counteract the Japanese menace, and

now my friend wants that the millowners should receive further protection for another period of six months. If the Honourable Member would read the speech which his predecessor, Sir George Rainy, made in 1930, he would find that in this House at no time it was defined that the textile industry would receive perpetual protection.....

The Honourable Sir Joseph Bhore : May I know if the Honourable Member is opposing the introduction of the Bill ?

Mr. B. Das : Yes, Sir, I am opposing it, because the Government have gone behind their pledges and promises.....

Mr. President (The Honourable Sir Shanmukham Chetty) : The Honourable Member must remember that the statement he chooses to make on this occasion should be a very brief one and not an elaborate speech.

Mr. B. Das : Thank you, Sir. On this side of the House we are doubtful whether the cotton textile industry needs any protection at all from the Legislature or from the Government, and the Government for that purpose made the Tariff Board produce a Report which they have not so far published. I do not know why my friend is sitting tight over it. The question of Japanese menace has no bearing on the issue whether the cotton textile industry should receive protection for a further period from this Legislature. My friend has got ample powers to protect the mill industry by the Anti-Dumping Act from the Japanese menace. He has to enter into negotiations with the Japanese representatives or with the Lancashire representatives who are coming to India after September, but he should not go behind his promise and postpone publication of the Tariff Board's Report which ought to have been made public property for these last six months. My friend, in introducing the Bill, gave no reason whatsoever for this rather out-of-the-way procedure he chooses to follow by coming to this House for a second time and asking it to extend the period of protection for another six months. So, Sir, I do hope that, by my opposition, the Honourable Member will withdraw the Bill and publish the Tariff Board Report and introduce a proper Tariff Bill before the House.

Mr. K. P. Thampan (West Coast and Nilgiris : Non-Muhammadan Rural) : Sir, I do not oppose the Bill at this stage ; but.....

The Honourable Sir Joseph Bhore : Sir, knowing my friend, Mr. B. Das, as I do, I am not surprised at the opposition which he has raised at this stage, though it is certainly not in accordance with the accepted practice of this House. I was going, when I made another motion in respect of this Bill, to give the House a full statement of the reasons why it was necessary for me to come before it and ask for an extension of the existing measure. I still propose to leave to that occasion a full explanation of the reasons which have actuated the Government in taking this step. For the present I need only say that I am sure this House and everybody outside it will recognise that it was quite impossible for the Government to come forward with specific proposals in regard to the protection of the cotton industry when we were within sight of negotiations with Japan. I can only say that any specific proposals which might now have been put forward before this House might possibly have had a disturbing effect upon negotiations which, as I have said, we are upon the threshold of. I am sure that my Honourable friend will receive no support for his opposition.

Mr. President (The Honourable Sir Shanmukham Chetty) : The question is :

“ That leave be granted to introduce a Bill further to amend the Cotton Textile Industry (Protection) Act, 1930.”

The motion was adopted.

The Honourable Sir Joseph Bhoré : Sir, I introduce the Bill.

AMENDMENT OF STANDING ORDERS.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions : Non-Muhamadan Rural) : I beg to move for leave to amend Standing Order No. 17 which runs as follows :

“ Questions, which have not been disallowed, shall be entered in the list of questions for the day, and shall be called, if the time, made available for questions, permits, in the order in which they stand in the list before any other business is entered upon at the meeting.”

By my amendment I desire to add this proviso :

“ Provided that not more than four questions standing in the name of a member shall be called for answer on the same day.”

Sir, I move.

Mr. President (The Honourable Sir Shanmukham Chetty) : Motion moved :

“ That leave be granted to amend the Standing Orders of the Legislative Assembly in the following manner :

‘ That to Standing Order 17 the following proviso be added, namely :

‘ Provided that not more than four questions standing in the name of a member shall be called for answer on the same day.’”

I have to ask whether Mr. Mitra has the leave of the House to make this motion for the amendment of the Standing Order.

Mr. M. Maswood Ahmad (Patna and Chota Nagpur *cum* Orissa : Muhammadan) : No, I oppose it.

Mr. President (The Honourable Sir Shanmukham Chetty) : Objection having been taken, I request those Honourable Members, who are in favour of leave being granted, to rise in their places.

As more than 25 Honourable Members have stood in their places, the Honourable Member, Mr. S. C. Mitra, has the leave of the House to make this motion.

Mr. S. C. Mitra : I move that the proposed amendment be referred to a Select Committee.

Mr. President (The Honourable Sir Shanmukham Chetty) : The question is :

“ That the proposed amendment be referred to a Select Committee.”

The motion was adopted.

Mr. President (The Honourable Sir Shanmukham Chetty) : I have to announce that nominations for the Select Committee on the amendment of Standing Orders will be received up to 12 noon on Friday, the 1st September, and the election, if necessary, will be held on Tuesday, the 5th September, 1933. It is proposed to adopt the same procedure

for conducting the election for this Committee as was followed in the case of some Committees during the last Delhi Session, and Honourable Members will be informed of that procedure by a circular today. Under Standing Order 56 (2), the Committee will be composed of the President, the Deputy President and seven Members elected by the Assembly by the single transferable vote.

THE WORKMEN'S COMPENSATION (AMENDMENT) BILL.

Mr. President (The Honourable Sir Shanmukham Chetty) : The House will now resume consideration of the Bill to amend the Workmen's Compensation Act, 1923, as reported by the Select Committee. The question is that clause 1 stand part of the Bill.

Mr. A. G. Olow (Government of India : Nominated Official) : Sir, I move :

" That in sub-clause (2) of clause 1 of the Bill, for the word and figures ' July, 1933 ' the word and figures ' January, 1934 ' be substituted."

I regret that it should be necessary to propose this postponement for six months, but unfortunately the anticipations of the Select Committee have not been fulfilled. Honourable Member will realise that when they suggested the 1st July, 1933, a date which is already past, they hoped that the Bill would be passed in the Delhi Session. Unfortunately, for reasons well-known to the House, that proved to be impossible.

Mr. President (The Honourable Sir Shanmukham Chetty) : The question is :

" That in sub-clause (2) of clause 1 of the Bill, for the word and figures ' July, 1933 ' the word and figures ' January, 1934 ' be substituted."

The motion was adopted.

Mr. A. G. Olow : Sir, I move :

" That in sub-clause (2) of clause 1 of the Bill, for the word and figures ' January, 1934 ' wherever they occur, the word and figures ' July, 1934 ' be substituted."

This is a corollary of the previous amendment. The sections to which this date refers are those which very greatly enlarge the Act—the number of workmen coming under the Act and the scales of compensation—and it is important that employers should have reasonable time to make the necessary preparations in these matters.

Mr. President (The Honourable Sir Shanmukham Chetty) : The question is :

" That in sub-clause (2) of clause 1 of the Bill, for the word and figures ' January, 1934 ' wherever they occur, the word and figures ' July, 1934 ' be substituted."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Frank Noyce (Member for Industries and Labour) : Sir, I move that the Bill, as amended, be passed.

Mr. President (The Honourable Sir Shanmukham Chetty) : Motion moved :

“ That the Bill, as amended, be passed.”

Mr. Abdul Matin Chaudhury (Assam : Muhammadan) : Now that the heat and dust of the controversy is practically over and we have reached the final stage, I desire to express my appreciation of the serious and earnest efforts that Government are making to implement the recommendations of the Royal Commission on Labour. Though this Bill in several respects does not go so far as some of us would like it to go, the provisions of the Bill are undoubtedly an improvement on those that they amend. In this Bill fresh categories of a large number of workers have been included ; the list of dependants has been increased ; the waiting period has been reduced ; and the scale of compensation has been increased though it would have been more satisfactory if the recommendation of the Royal Commission with regard to maximum and minimum scale for permanent disablement and death had been given effect to. Then, again, the right of compensation has also been acceded in the case of fatal accidents though it may be due to wilfulness or negligence of the workers. I wish the same right had been conceded in the case of permanent disablement also. Still I consider that what has been achieved has been a considerable achievement. Particularly in this Assembly, where the capitalists have such a powerful influence, I think the voice of my Honourable friend, Mr. Joshi, would have been a mere cry in the wilderness if we were not backed by the active support of Sir Frank Noyce. Sir Frank Noyce claims that he has tried to hold the balance evenly. My impression has been, if he will permit me to say so, that in more cases the scales have been weighed in favour of labour than in the case of the capitalist, and I congratulate the Government on the passing of this useful measure.

The Honourable Sir Frank Noyce : I need say no more than that I deeply appreciate what has fallen from the Deputy President.

Mr. President (The Honourable Sir Shanmukham Chetty) : The question is that the Bill, as amended, be passed.

The motion was adopted.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways) : Sir, I beg to move :

“ That the Bill further to amend the Indian Railways Act, 1890, for a certain purpose (Road Motor Services), as reported by the Select Committee, be taken into consideration.”

Mr. President (The Honourable Sir Shanmukham Chetty) : Motion moved :

“ That the Bill further to amend the Indian Railways Act, 1890, for a certain purpose (Road Motor Services), as reported by the Select Committee, be taken into consideration.”

Mr. T. N. Ramakrishna Reddi (Madras ceded Districts and Chittoor : Non-Muhammadan Rural) : I beg leave to oppose the motion for consideration. In this connection I have an amendment. May, I move it ?

Mr. President (The Honourable Sir Shanmukham Chetty) : The Chair thought the Honourable Member wanted to speak on the original motion. If it is his intention to move his amendment, the Chair would first call upon Dr. DeSouza to move his amendment.

Dr. F. X. DeSouza (Nominated Non-Official) : Sir, I rise to move :

"That the Bill, as reported by the Select Committee, be re-circulated for the purpose of obtaining further opinion thereon in the light of the decisions taken at the recent Rail and Road Conference and the Mitchell-Kirkness Report."

The Select Committee have returned the Bill in a greatly amended form, but all the same it seems to me to have overlooked certain very material points which have emerged in the course of the Mitchell-Kirkness report as well as in the course of the discussions at the recent Rail-Road Conference, which points, in my opinion, require further careful examination in the light of public opinion. The Bill is an attempt to find a solution for the competition between railways and road transport which is becoming more and more acute all over the world and is growing in intensity daily even in this country. From the Mitchell-Kirkness report, it appears that the loss sustained by the Railways during the year 1931-32 in consequence of competition with motor bus services amounted to as much as two crores of rupees, nearly 50 per cent. of their normal yearly earnings. The loss threatens to grow more and more every year and it concerns the finances of the Railways as well as those of the Central Government. Now, the solution proposed in this Bill to meet the alleged unfair competition of the motor buses is by stimulating counter competition on the part of the railways by empowering them to own and operate motor services on their own account.

The first criticism I would like to offer to this Bill is that it provides no machinery of any kind to see that this counter competition will be run on fair and equitable lines. When the railways complained that the competition by the motor buses was unfair, they appealed to the Commerce Member, and the Commerce Member has brought this Bill in order to set matters right ; but if the competition of the railways will be unfair, as I fear it will be, to whom are the bus services to appeal ? Has there been any referee provided by the Bill in order to see that the competition will be on fair and equitable lines ? None. That this objection of mine is not a mere academic one, but that it is a real live objection, will be seen from what has happened in England. Whenever the railways come on the road, they become super-competitors. The Report of the Royal Commission on Transport in England in the year 1931 states as follows :

"Railways got on to the road in 1928. They entered into rate cutting wars with companies so as to force the public to return to the railway by first killing competition and then closing down the motor services."

These were the tactics adopted and successfully adopted in England by railways and those tactics were not to continue the running of motor buses on improved lines, but to close them down once the motor bus companies were driven out of the field, so as to compel the public to return to the railways. When great inconvenience was caused to the public by the closing of the motor service, Parliament had to intervene and to enact the English Road Traffic Act of 1931 by which Traffic Commissioners were appointed to see that the public were not deprived of the amenities to which they were accustomed.

[Dr. F. X. DeSouza.]

If that was the case in England where the motor services are so powerful and so highly organised, what will be the case in this country where motor buses are owned by single private owners or owner driven. Already, in anticipation of this Bill becoming law, several railways in this country have begun rate cutting wars with bus services. I shall refer to only one railway, the Darjeeling Himalayan Railway. In that railway, before the advent of the motor lorry, the charges for the transport of tea used to be thirteen annas six pies per maund. After the advent of the motor bus, the charges have been lowered to nine annas per maund. I understand that nine annas per maund hardly pays the operating charges of the motor lorries. The Government are asked to intervene, because it was said, the competition of motor buses with railways was uneconomic. Here, I venture to say, the boot is on the other leg. It is the railways which are responsible for the uneconomic competition, and not the motor buses. Similarly, by the same railway the passenger fares have been reduced as follows since the advent of the motor bus :

	Former rate.		New rate.		Bus fare.	
	As.	Ps.	As.	Ps.	As.	Ps.
From Siliguri to Nuxalbari (22 miles)	7	0	2	6	6	0
From Siliguri to Bagdogra (8 miles)	4	0	2	0	3	0
From Siliguri to Matigari (3 miles)	1	3	0	6	1	0

It may be urged that the Bill provides for sanction by the Governor General before any scheme empowering railways to run motor services on the roads is sanctioned and that the Governor General will make inquiries from the Local Governments who consult such further interests as may be involved before sanctioning such a scheme. But I venture to say that when the sanction of the Governor General is sought for this purpose, he will be guided by the advice of the Railway Member and the Railway Member naturally will be guided by the advice of the Railway Board. Is it at all likely that the interests of the motor bus service will be in a position to make themselves felt in this departmental inquiry that will be held ? I think not. It will be necessary that an opportunity should be given to motor bus services to make their case heard directly by means of especially organised authorities as have been organised in England for the purpose, viz., the Traffic Commissioner about which I shall speak presently.

It is conceded by Mitchell-Kirkness report that if the railways are empowered to run the motor services on roads running parallel to lines, something in the nature of monopoly will have to be granted to them as otherwise they will find it impossible to work. If that is so, what will happen to a large number of private motor buses that are plying now on those roads ? They will be driven away. Who is there to suggest alternative routes for them ? Provision should be made for some kind of machinery by which motor buses will be provided for in such a case.

Mr. N. M. Joshi (Nominated : Non-Official) : What will the Legislature do ? The Legislature can see that the monopoly is not abused.

Dr. F. X. DeSouza : The monopoly will have to be granted and it will have to be regulated by a body of men like the Board of Communications about which I shall speak presently.

My objection to this Bill is : why is it rushed in this way ? As long ago as 1912, the Acworth Committee recommended that a Ministry of Transport should be established with a Board of Communications which will consider and co-ordinate all questions of transport, and yet, curiously enough, this Bill is being rushed in this House for reasons which seem to me to be inexplicable. The Bill was introduced before the Mitchell-Kirkness Committee had made its report. It was rushed through the Select Committee before the Committee's report was in the hands of the Select Committee and it is now proposed to be enacted into law long before there is any possibility of the safeguards contemplated by the Acworth Committee, namely, the appointment of a Ministry of Transport and of a Board of Communications, can be inaugurated.

My second criticism of this Bill is that it is an instance of piecemeal legislation in favour of one mode of transport without any reference to its reaction on other modes of transport. The dangers of piecemeal legislation of this kind are illustrated by the Madras Vehicles Taxation Act of 1931. Ostensibly, it was an Act for the abolition of tolls, but in reality it has succeeded in practically taxing the motor bus industry in Madras out of existence, in ruining the roads of the Madras Presidency and in disorganising the finances of the provincial as well as of the Central Government. The taxation imposed by this Act in lieu of the toll which is to be abolished is a provincial tax on motor buses ranging from Rs. 500 to Rs. 960 per bus per year. In addition to that, a further taxation of Rs. 400 is to be levied for district board licence fees. What was the result of this exorbitant taxation amounting to nearly Rs. 1,500 a year on the buses plying for hire ? The law of diminishing returns has asserted itself. The number of motor buses plying in the Presidency diminished from 4,171 in 1931-32 to 1,935 in 1932-33, a reduction of 2,236 buses in the Presidency in one year. What was the consequence ? The consequence was that the provincial revenues suffered a loss of 11.18 lakhs.

Mr. President (The Honourable Sir Shanmukham Chetty) : Will the Honourable Member tell me how this is relevant to the motion before the House ?

Dr. F. X. DeSouza : I want to show disabilities from which the motor buses are already suffering in the Presidency of Madras and how adversely will the motor industry, which has already been crippled, be affected by an Act of this kind. That is what I want to show.

The Honourable Sir Joseph Bore : May I explain the position ? So far, at any rate, as the two Company railways which traverse the Madras Presidency are concerned, namely, the South Indian Railway and the Madras Southern Mahratta Railway, this Bill will not apply to either of them.

Dr. F. X. DeSouza : I may say in answer to that that although this Bill will not apply to these Railways, yet what those Railways will require for the purpose of running motor buses will be merely to get an order from the Governor General in Council.

The Honourable Sir Joseph Bhore : No, Sir. That is entirely incorrect. They will need an Act of Parliament.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : I rise on a point of information, Sir. Is it not contemplated that as soon as this Bill is passed, steps will be taken in England for necessary amendment of the corresponding British Statute ?

The Honourable Sir Joseph Bhore : I have no such course under contemplation and I can remove my Honourable friend's apprehensions at once.

Mr. K. C. Neogy : I dare say my Honourable friend has read the observation in the Mitchell-Kirkness Report on this point.

The Honourable Sir Joseph Bhore : I can only tell him what is in my mind and I give him the definite assurance on this point that so far as I am concerned, I have, certainly at present, no such procedure in contemplation.

Dr. F. X. DeSouza : I was going to illustrate the dangers of a piecemeal legislation of this kind on one form of motor transport without considering its reaction on other modes of motor regulations. I was illustrating this position from what has actually happened under the Madras Motor Vehicles Taxation Act, 1931. I was also trying to point out under what difficulties the motor buses already plying in the Madras Presidency suffer from and how this industry has already been crippled by taxation in order to insure the sympathy of this House so as not to expose it to further competition from railways by this Act.

Mr. President (The Honourable Sir Shanmukham Chetty) : The Honourable Member can refer to the Madras case, but not go into detailed discussion on that point.

Dr. F. X. DeSouza : Without going into further details, I think I have made my position clear that this taxation has not only crippled the industry, but has ruined the roads on which motor buses are running. In view of your ruling, Sir, I do not propose to enter into details showing the extremely exasperating and harassing manner in which this Act has been worked in the Madras Presidency, causing annoyance and resentment in the minds of the users of motors as well as owners of the motor lorries.

My third criticism is this. It is true that this Bill takes no account whatever of the point of view of the travelling public. True, there have been complaints and proper complaints against the motor services and against their over-crowding and against their not observing the scheduled time and many other points, but the proper remedy for this is by appointing a Traffic Commissioner as has been done in England. To the travelling public at large in this country the motor bus at present presents a far better proposition than railways for short distances, because the motor bus picks the passenger up at his house and leaves him at his destination. If that is so, to give a monopoly to the railways and to deprive the public of the amenities given by the motor service seems to me to be unfair. It seems to me that the railways are for the public and not the public for the railways.

It is said that a large amount of capital is sunk in the railways amounting to over 800 crores and that the interest of the tax-payer, so

far as this capital is concerned, will be safeguarded. But what about the capital sunk in the 45,000 private buses which are plying in the country, buses purchased at a cost of Rs. 4,000 or Rs. 5,000, amounting in all to 22½ crores. What about the value of buildings, garages, service stations, petrol stations and part and accessory shops? Should no attention be paid to this capital? What about the unemployment? It is reckoned that nearly seven lakhs of people earn their living from this motor bus industry or other industries depending on it. If they are going to be thrown out of work, how are they to be provided for?

It is said that competition by motor buses with railways is unfair. But, as I have already said, in the Central Provinces, the taxation amounts from 21 per cent. to 23 per cent. of the working expenses and, in Madras, it amounts to as much as 35 per cent. to 40 per cent. of the cost of operating. If that is so, how can competition be said to be unfair? Taxation nearly killed the motor industry in Madras and to bring further competition by this Bill would be ruinous.

If I were disposed to attribute motives of Machiavellian strategy to my Honourable friend, the Commerce Member, I should have said that it was his intention to cripple the motor industry in the provinces by inspiring Local Governments to pass legislation of the kind already described and then to completely destroy them by a frontal attack by passing this Bill into law. But, as I said, nobody who knows the Honourable Member would ever attribute to him Machiavellian motives or strategy.

The Honourable Sir Joseph Bhore : Nobody will, who knows the present constitutional position.

Dr. F. X. DeSouza : I was going to add that the same cannot be said of the members of the Railway Board.

In conclusion all I wish to say is this. I agree that the present position cannot be allowed to stand. It is necessary to give up the policy of *laissez-faire* and take some action, but the present Bill is merely tinkering with the problem. What should be done is not to introduce one-sided legislation in favour of only the railways. You should take a proper and general view of all the means of transport, and as the Minister of Transport in the Federal Government that-is-to-be—a position which I have no doubt the Honourable the Commerce Member will adorn with great distinction—I ask him, Sir, to consider the vast net-work of communications by roads, by rail, by air and by water, and think out an elaborate scheme co-ordinating all these so as to provide the best service throughout the country on the most economic lines. Sir, I move.

Mr. President (The Honourable Sir Shanmukham Chetty) : Amendment moved :

“That the Bill, as reported by the Select Committee, be re-circulated for the purpose of obtaining further opinion thereon in the light of the decisions taken at the recent Rail and Road Conference and the Mitchell-Kirkness Report.”

The Honourable Sir Joseph Bhore : On a point of personal explanation. It has just been brought to my notice, with reference to what my Honourable friend, Mr. Neogy, said, and in justice to him, I should take the earliest opportunity of referring to it, that the Honourable Sir

[Sir Joseph Bhore.]

C. P. Ramaswami Aiyar, when he introduced this Bill, made the following remarks :

" I may, with reference to another remark which fell from the Honourable Member, say that this Bill, if it receives legislative sanction and is passed into law, will be then a kind of jumping-off ground so that we may approach Parliament in order that they may proceed with reference to those lines in regard to which Parliamentary sanction or Parliamentary legislation is necessary."

I can only say, Sir, that I have no such intention and most certainly until the effect of this Act has been gauged and we are in a position to know what consequences it has for the motor bus industry, I personally would be no party to taking action on those lines.

Mr. K. C. Neogy : Perhaps in the interest of economy of time I might request the Honourable Member to make another statement with reference to Resolution No. 3 which was adopted by the Road Rail Conference held in April last ? Resolution No. 3 says :

" This Conference considers that the statutory provisions which at present limit the operation of motor services by certain Railways should be repealed."

The Resolution is in such general terms that it would comprise the case of Parliamentary enactment as also enactment by this Legislature. Do I understand that this Resolution has no reference to the British Statute in so far as it may need to be amended on this particular point ? And I should also like to know from the Honourable Member whether this particular Resolution is under the consideration of the Government of India and whether the Government of India think that this Resolution should be interpreted to mean only legislation by this House.

The Honourable Sir Joseph Bhore : Sir, I find some difficulty in replying to the Honourable Member since I was not primarily concerned with the conduct of the Conference. I can only speak of the impression left upon my mind by the discussions of that Conference, and the impression left was that the Conference was considering at the moment only this Bill and the implications of this Bill. I can only give the Honourable Member my personal impressions.

Mr. K. C. Neogy : I am very sorry to prolong these interruptions, but may I point out that while speaking on that Resolution itself the Chief Commissioner of Railways, Sir Guthrie Russell, said :

" The Legislature has recently been considering a suitable amendment of section 51 (c), (*meaning the present Bill*), which governs certain domiciled companies in this matter and the clause of the British Statute, by which guaranteed lines are restricted, will require similar amendment by an Act of Parliament." †

The Honourable Sir Joseph Bhore : I think that is perfectly right. That merely states the legal position. It does not necessarily bind the Government of India to taking at once any course or line of action.

Mr. F. E. James (Madras : European) : May I ask one further question of the Honourable Member ? If this Bill goes through, what is the justification for leaving certain railways under a disability in regard to this matter of running their own motor vehicles ? I see no justification for the position taken up by the Commerce Member if this Bill goes through.

The Honourable Sir Joseph Bhore : I think the position really is that the light railways have been far more affected by this competition than the

other railways and it was the light railways who made application for action to be taken along these lines. The other railways have not done so.

Mr. T. N. Ramakrishna Reddi : Sir, I beg to move :

“ That the Bill, as reported by the Select Committee, be re-circulated for the purpose of obtaining further opinion thereon from the public including the District Boards and Automobile Associations, wherever they exist, by 30th June, 1934.”

Mr. President (The Honourable Sir Shanmukham Chetty) : It is not necessary for the Honourable Member to move this amendment. The amendment moved by Dr. DeSouza covers that point also.

Mr. T. N. Ramakrishna Reddi : I have fixed a date and it is for that reason that I move my amendment. The previous amendment does not give any date by which time opinions have to be called for.

Mr. President (The Honourable Sir Shanmukham Chetty) : Then the best course for the Honourable Member will be to move that the words “ by the 30th June, 1934 ” fixing a time limit should be added to Dr. DeSouza's amendment.

Mr. T. N. Ramakrishna Reddi : I have no objection to the course suggested by the Chair.

It may be said, Sir, that this Bill has already gone to the country for eliciting public opinion and there are a number of public opinions that are placed in our hands. But, Sir, if you peruse those opinions, you will find that only a certain number of persons and a certain number of associations were consulted, and the general public and the associations which are directly affected by the passing of this Bill have not been consulted. That is one of the reasons why I want its re-circulation. There is another ground also why I want this to be re-circulated. The Bill went to the Select Committee and the Select Committee have completely changed the Bill, the very principle of the Bill, beyond recognition ; and what we find in the Bill, as it emerges from the Select Committee, is its title and preamble. I need not labour that point at great length, because the Select Committee themselves have clearly stated that they had to amend the Bill on three different principles. I will briefly state what the scope of the original Bill was and how it emerged from the Select Committee. The original scope of that small Bill, as was introduced in the beginning, was to give a *carte blanche* power to the railways to open up bus services, air services and waterways unconditionally and without any obstruction at all ; whereas, in the Select Committee, it has undergone very many modifications. In the first instance, Sir, they have restricted the operation of this Bill to only two ways, that is to say, motor buses and airways, and they have not given the power to open waterways. Secondly, the original Bill was aimed at giving unconditional powers to the Governor General, but in the Bill, as amended by the Select Committee, they have clearly stated that whatever decisions the Governor General in Council will take must get the approval of the Local Governments also, because they are the Governments which are very much affected by this Bill. Thus, while the original Bill wanted autocratic powers, the amended Bill has restricted those powers.

Then, Sir, there is another principle which the Select Committee have applied. In the original Bill they wanted to give the railways the power to open bus services and have the monopoly of such bus services. But, in the Select Committee, they have specifically stated that there should be no

[Mr. T. N. Ramakrishna Reddi.]

such monopolies or privileges at all and a railway company, if at all, is allowed to run a bus service, it must do so on equality of terms with the private bus services. And, in the notes appended to the Select Committee Report, they have clearly stated thus :

“ In accordance with these decisions, clause 2 of the Bill has been entirely recast by us. Instead of amending clause (e) of section 51, we propose to insert a new section 51A consisting of five sub-sections.”

Thus the whole Bill has undergone a complete metamorphosis, and that is the justification for the Bill to go to the country once again for eliciting public opinion. Sir, the Mitchell-Kirkness report states that on account of this bus competition the railway companies, including State-managed, Company-managed, as well as light railways must have sustained, according to their estimate, a loss of one crore and 83 lakhs of rupees. And if we eliminate the bigger railway services and take into consideration only the light railway services, the loss will be very much less, and, in order to recoup that loss, what is the proposal of the Government ? The proposal of the Government is to enter into a direct competition with the private bus services that are existing in this country. Now, they want to empower

1 PM.

the railway companies to run motor bus services.

According to the Mitchell-Kirkness report, which I will quote subsequently, the railway companies cannot run a bus service with profit without having a monopoly or preference. That monopoly or preference has been knocked on the head in the Bill as it has emerged from the Select Committee. Now, if the railways get this power to run bus service, then one of two things will happen : either it will succeed in ousting the existing bus services in the country, or it may go under because it cannot stand the competition. If it succeeds in eliminating all the other bus services that are running in the country, the effect of it will be that the Local Governments, who are deriving a large amount of income from these bus services, and also the local boards, will suffer a heavy loss by the elimination of private bus services. It is estimated by the Mitchell-Kirkness report itself that these bus services and motor trade in general are getting to the Government, both Central and Provincial, an income in the neighbourhood of Rs. 840 lakhs ; and that, taking the bus services alone, the income to the Government, mostly to the Provincial Governments, is 243 lakhs of rupees. The effect, therefore, if the railway companies succeed in running their own buses, will be that the Local Governments and the local boards stand to lose a great portion of their revenues, which they are not going to surrender. On the other hand....

The Honourable Sir Joseph Bhoré : Excuse me : they do not stand to lose anything, because, under the Bill as at present recast, a railway motor bus service will be subject to the same taxation and the same conditions as ordinary buses.

Mr. T. N. Ramakrishna Reddi : In answer to that, the Kirkness report has clearly stated that if the railway service runs its own bus service on equal terms, then it is not going to have any profit at all : it is sure to sustain loss. In that case, why introduce this Bill ? That is my contention. I am putting both sides. I have stated what the effect will be if it succeeds. As I have said, it will mean a loss of revenue to the Central and Provincial Governments. On the other hand, if it does not succeed, which is likely, it will mean additional loss to the railways and to the Government

which means ultimately to the tax-payer. So, considered either way, it is not advisable to empower these railway companies to start railway bus services.

What are these private bus services doing ? These private bus services are bringing more traffic to the railways : it is estimated that the railways are getting 53 lakhs of rupees of additional income by transporting petrol from one place to another, for consumption by these buses ; and the Mitchell-Kirkness report has not clearly shown by statistics what amount of additional traffic these private buses are providing from the interior to the railways. If it is estimated, I think it will be a considerable amount ; and all this the tax-payer stands to lose if this power is given to the railways.

It has been pointed out that at least fifty per cent. of these railway lines have been laid along the trunk roads already existing, because they wanted to capture the traffic and they expected very good traffic from the cities and towns served by the trunk roads. Now, the Central and Provincial Governments have been spending a lot of money over the maintenance of these trunk roads for their own purposes, to the neglect of the other country roads ; and hence when this bus traffic came, naturally they ran the buses also along the trunk roads, because there would be less wear and tear and there was chance of greater traffic along the main roads. I submit, therefore, that this competition is of the Government's own making. If the Government had developed the rural parts and if they had linked important villages to the railways, this bus traffic would have been diverted to those roads and the railway companies would have got more revenue and these private bus services would have served as feeders to railways. Hence I consider this Bill premature. In the first instance, the Government should tackle the problem how best to develop village communications. It is after developing village communications and showing other ways for this bus traffic to employ itself that they can bring in this Bill empowering the railways to open bus traffic. Instead of doing that, they are putting the cart before the horse by introducing this Bill and thus cutting the throat of private bus enterprise. I may here state that the Imperial Government is getting income from the petrol tax which they have been distributing over the various provinces and they have earmarked that money to be spent only on trunk roads. I can give a very recent instance of my own district : a bridge was constructed on the trunk road with the grant from petrol tax, costing Rs. 83,000. The Government have all this time been earmarking this petrol tax for developing only trunk roads and not rural tracts ; and now I find in this Rail-Road Conference a resolution to revise their rules and empower the Local Governments to spend this money on the development of rural roads. Both the Railway Department as well as the Government have charged these motor buses with running the buses at uneconomical rates and with lowering the rates considerably below the rates prevailing in the railway companies. This cannot stand examination for a minute. If the motor buses, after paying heavy taxation, are going to run their buses at the most uneconomical rates, then there would have been no bus service at all. On the other hand, we find from the Mitchell-Kirkness report that there are nearly 45,000 buses plying on the roads ; and I can also quote from this very same report that that is not the case. Of course there are cases of cut-throat competition, and in those cases it is only the buses among themselves that enter into this cut-throat competition : for instance, if on a particular line one man is running

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a bus with profit, then four or five other services run and there is competition, and after some time the weaker buses go under and then they enter into some sort of agreement among themselves in the way of revising their rates or keeping their rates above certain levels or to fix certain hours for each service or running them alternately ; and thus they again come back to the original rates. This cut-throat competition can exist only for a few months and it cannot go on indefinitely. On the other hand, the Mitchell-Kirkness Report has quoted numerous instances pointing out that private bus-services have charged higher rates and yet they continue to be popular among the people. This is what they say at page 38 of their Report :

“ But it was quickly found that this was an uneconomic fare and the rate has been raised to four or five pies per mile ; and on one service run by this company in direct competition with the railway a charge of 6 pies a mile is made, and the service is still largely patronised by the public owing to its convenience.

In our reports on Madras, Bengal and the Central Provinces, cases have been quoted where the fares on buses running in competition with the railway are in excess of the railway charge, but where the buses still apparently command the patronage of the public.”

Thus, Sir, there are numerous instances which show that buses are charging higher rates than the railway company, and yet they are being largely patronised by the public, and so the charge that is levelled against the bus services that they are running the services at a very uneconomic rate does not hold water for a moment. On the other hand, light railways have been running on a monopolistic basis before the bus service entered the field, and they had their own timings, their own method of running trains, and at some stations these trains used to be stopped for half an hour sometimes without moving on ; in some cases they used to put on old rickety carriages. Hence, as soon as the bus service was started in competition with these railways, the public eagerly took to it, as it provided a greater convenience to them ; and we cannot deny this convenience to the public simply because the railways want to run their own bus service. On the other hand, instead of bringing forward a measure of this character, what the railways should do is to improve their timings, they should make the railways more attractive to the public by running their trains in proper time and by putting better carriages and by affording all sorts of convenience to the travelling public. The Report also gives instances to show that where a company had improved its service they regained their trade which they had lost at one time, and on such lines, the number of bus services has diminished. Therefore, Sir, the remedy lies in improving train service to afford general convenience and giving better facilities to the travelling public and not in introducing this Bill.

Mr. President (The Honourable Sir Shanmukham Chetty) : The House stands adjourned till half-past Two.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Shanmukham Chetty) in the Chair.

Mr. T. N. Ramakrishna Reddi : Sir, regarding the investment made by the private bus owners, the expert Report estimates that there are about

45,000 motor buses running in the country, and, if we estimate that each bus costs about Rs. 4,000 to Rs. 5,000 then the outlay on the buses alone would come up to about Rs. 20 crores. Not only that, these private bus owners must have invested equal amounts by way of garages, repair shops and accessories, and so many other things. Their interests also have to be looked after. Again, as I have already pointed out, the Provincial Governments and the Imperial Government are getting nearly Rs. 2½ crores of income from them, and we should not, as representatives of the people, do anything which would reduce this income and put these private bus owners in any worse position.

Now, Sir, with regard to the working of bus services by railways, according to the expert Report, both official and non-official view is against it. At page 34 we find :

“ Generally official and unofficial opinion appears to be opposed to railways operating road transport, chiefly lest a monopoly should result which would lead to the public being badly served, and also because of objection in principle to public invasion of fields of enterprise.”

Again, these larger railway companies do not want to open this bus system. We find at page 38 of the Mitchell-Kirkness report :

“ The larger railway administrations have generally been averse from engaging in road motor transport because they anticipated certain other difficulties, apart from the impossibility of competing on equal terms with the owner-driven bus now common.”

The Honourable the Commerce Member has just now said that according to the Select Committee the railway bus service would have to compete with private bus service on equal terms and hence there would be no loss to private bus owners. But here is the expert Report which says that even on equal terms, if railway companies start this service, they do not stand to gain, and various difficulties are enumerated in the report as to why larger railway companies do not propose to run bus services. They are :

“ (i) considerable capital outlay would be necessary on vehicles, workshops and garages ;

(ii) the organisation of an extra department would be necessary ;

(iii) it would be difficult to secure to the railway the revenues earned from motor buses ; and

(iv) it would be difficult to ensure control over expenditure of consumable stores.”

These are the difficulties which the larger railway companies feel in regard to starting their bus services, and if these are the difficulties felt by larger railway companies, how much more difficult will it be for the smaller and light railways to run bus services ? Because, when a railway company starts a bus service, it must maintain a very good bus service, its servants must be paid on the same scale as other railway employees, and all these difficulties which the larger railway companies feel must also apply to the smaller and light railways. So, when the larger railway companies do not want these bus services, when the public opinion, official and non-official, do not want it, I wonder why the Government should go on with the present Bill.

Then, Sir, I think it is highly doubtful how far the present legislation would be in order. What I mean is that, if this Bill is passed, you will be empowering the railways to run motor buses on trunk roads and other

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roads. But roads are a provincial subject, and the Imperial Government have absolutely no control over roads. This has been emphasised by the Honourable Member in charge of Industries and Labour when he presided over the Rail-Road Conference which was held last April. He said :

“ We recognise fully, just as the provincial representatives do, that roads are a provincial transferred subject and that the Government of India, therefore, cannot interfere in it. It is for that reason that we have asked you to come here today (*that is to say, referring to the representatives of Local Governments*) and we wish to secure your co-operation in helping us to deal with one of the biggest problems that face India now. We can no more interfere with your roads than you can interfere with our railways.”

This has been supported by another Member of the Government of India, namely, the Finance Member. He said :

“ We, on the Government of India side, fully recognise that we can only proceed by voluntary co-operation. We recognise fully the authority of the Provincial Governments in this matter (*referring to the roads*). Some of the provincial representatives have felt it necessary to speak rather in a defensive manner on this point, but I do want to make it clear that we fully recognise that the Provincial Governments have full responsibility and authority in their own field and that it is only by voluntary co-operation that we can arrive at the desired result.”

This is the opinion of two Government Members.

The Honourable Sir Joseph Bhoré : That is my opinion too.

Mr. T. N. Ramakrishna Reddi : I am glad there is another weighty opinion in favour of that contention. So, whatever legislation we may pass here will not be binding upon the Local Governments. Of course you can pass any legislation you like under section 65 of the Government of India Act affecting all persons, all Courts and places, and so on. What will be the effect in actual practice ? Suppose a railway company goes to the Local Government for a licence to run a bus service. According to the Select Committee's Report, they must work on the same terms as the private bus. They cannot claim any special privilege at all. Supposing the Local Government feels that on account of the railway company working this bus service private service would be eliminated entailing loss of revenue and refuse licences to the railway company. The railway company finds itself helpless in spite of this Bill. The Select Committee says :

“ In particular, our intention is that they (*the railway buses*) should not enjoy any exemptions from taxation or from licensing regulations, but should compete with private enterprise on level terms.”

Now, what is the opinion of this expert committee which the Government of India themselves appointed ? The Mitchell-Kirkness report says :

“ It must be admitted that if railways are allowed to operate road motor service, they would require to be protected under present conditions. It would be impossible for railways to compete with any of the buses now running on parallel roads. Railways would be expected to provide a good standard of vehicle subject to strict periodical inspection. The staff working the vehicles would be railway staff working under railway conditions and the service would be regulated as regards time, speed and the freight charged. Adequate protection of the railway bus service would, therefore, involve a monopoly ”, and so on.

So it is clear that unless the railway company obtains a monopoly or special protection, it is not going to be a profitable concern and, as I have pointed out, the Select Committee clearly says, no special privileges are to

be given to the railway company. Then the Honourable Sir Frank Noyce, as Chairman of the Rail-Road Conference, said :

“ For the present, therefore, where it may be decided that a railway should be allowed to operate the road motor transport, we believe that it should do so in all respects on terms of equality with the existing concerns.”

This is a definite statement and the representatives of the Local Governments have also clearly laid stress on this point. They said that, if any monopoly were given to the railway companies, they would be no party at all to that arrangement. The Honourable Sir Muhammad Yusuf, the Minister, speaking on behalf of his Government, said :

“ The only thing that we must very carefully bear in mind is that we cannot contemplate to give monopolies to the railways.”

The Honourable Sir Jogendra Singh, another Minister, says :

“ It has been made quite clear that it is not the aim to give the railways any monopolies or to put them in any preferential position in relation to motor traffic and that the Local Governments will continue to enjoy full authority in this matter as now.”

It is only on that condition that the Local Governments gave their consent. My point is that, if the railways are not given any special privileges, they will run bus service at a loss. That is also the opinion of this expert committee. We have got the examples of the corporations of Calcutta and Bombay where the buses started by the corporations sustained heavy losses and even in Madras, where the tramway company opened motor bus service, they sustained heavy losses. We have also the examples of other corporations starting buses and coming to grief. So, if the railways start their buses, it will be suicidal to them. That is also the opinion of the representatives of Local Governments, namely, that they will not make any profits at all. Here is the opinion of Mr. Conran Smith, the representative from Madras :

“ As to whether it would pay the railways to run a fleet of buses, that of course is another point.”

The Honourable Mr. Bijay Prasad Singh Roy agrees with the opinion of members from Madras. He says :

“ I am also very doubtful whether it will pay the railways to run buses, because bus service must not only be self-supporting, but also earning a sufficient income.”

Mr. Samnad is another representative who says that he is very doubtful whether rail road service will be able to do more than perhaps pay their way. He says :

“ To my mind, the solution lies more in the tightening up of the standard efficiency of road services.”

That is a solution which he suggests and not the passing of this Bill. Of course, we have also to see that the railways do not sustain heavy losses, because this is also a national concern. At the same time, you must also see that private enterprise also exists which has brought so much revenue to the Government and it has also helped in many ways the railways by bringing the traffic from the interior to the railway companies, and so we must also see to their existence. So the remedy lies not in this legislation, not in this competition, but in a co-operative effort by both the Central and the Local Governments. This point has also been accepted by the Rail-Road Conference. They have passed a resolution wherein they have clearly stated that both the Central and Provincial Governments must collaborate and find out means how best to see that the economic

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waste is prevented. What I would suggest is that, instead of proceeding with this Bill, let them form a board of communication having representatives from the Central and the Local Governments and local Boards which are primarily affected and also representatives of the bus services, and then devise ways and means for preventing this uneconomic competition which exists at present here and there. That can be done only by allowing each service to keep to its own line of operation and, at the same time, tightening up the rules that govern bus services, limiting the number of buses on any particular line where they consider that it is competing uneconomically with the railway line and also by opening out interior villages by means of roads so that they might serve as feeder lines. In that case these private buses which are now running parallel to the railways and competing with them will divert their attention to these interior roads and thus you will provide other routes for these motor buses to run their services. The solution lies only in that way by collaborative effort between the Central and Local Governments and not by passing this legislation. I anticipate, the leader of the House might quote this very same Report of the Rail-Road Conference and say that Local Governments have given their approval to the passing of this Bill. I may point out that they have given their approval on one condition that there should be no monopoly and on the principle that "the more the merrier". They would welcome this Bill, because there would be more applications for running bus services and they would stand to gain by getting more taxes. It is only on that principle, they have given their consent. But every one of them have clearly stated that these bus services are not going to gain any profit. That is the most important thing. It is for us, representatives of the tax-payers, to see whether we would allow Government to pass this Bill and enable the railway companies to run bus services which have been proved to be running at a loss and thus spend more good money over bad money. It is for us to see whether we would allow them to run bus services which have been proved to end in loss. We are on the eve of some constitutional changes and we have also seen the report of the Railway Committee on the constitution of statutory railway authority to be established. Hereafter, the Assembly will have absolutely no control over that body. Hitherto the Public Accounts Committee was scrutinising over the expenditure and this has led to some restrictions with regard to spending and with regard to the opening of new services. We had at least so much control. Hereafter, there will be no such control. Even the Member in charge of Railways will have no control over the internal working of the railways. Supposing we give this power and the railways, not only light railways, but, bigger ones, run these bus services. They may be sustaining heavy losses over which the Assembly will have no control. We will be leaving it to the sweet will and pleasure of the railway authorities. I submit, it will be imprudent to give our approval to the passing of this Bill. Public opinion has not been sufficiently brought to bear upon this, and it must go again to the country for eliciting public opinion. In this connection, as suggested by you, Sir, I would amend the original amendment by inserting the date, "30th June, 1934". I also suggest the inclusion of the words "including District Boards and Automobile Associations". The District Boards are mostly affected by this Bill, because the District Boards mainly rely upon taxes which they get from bus services and it is they that are responsible for maintaining the District Board Roads apart

from the provincial roads for which they get a grant from Provincial Governments ; and the public also must express their opinion, because it is the public that will be affected by passing of this Bill. Supposing a railway company starts a bus and then, after eliminating all the other buses, establishes a monopoly and then, afterwards, thinks of withdrawing the bus service, the public will be put to a lot of inconvenience, and so the public opinion also has to be taken in considering this Bill. So, Sir, I should like to include these words also and amend the original amendment in this way :

“ That the Bill, as reported by the Select Committee, be re-circulated for the purpose of obtaining further opinion thereon from the public including the District Boards and Automobile Associations, wherever they exist, in the light of the decisions taken at the recent Rail and Road Conference and the Mitchell-Kirkness Report, by the 30th June, 1934.”

I commend this amendment for the consideration of the House.

Mr. President (The Honourable Sir Shanmukham Chetty) : If the House agrees to substitute for the amendment of Dr. DeSouza the one suggested by Mr. Reddi, it will simplify discussion. I take it that the House has no objection and the amendment would therefore run as follows :

“ That the Bill, as reported by the Select Committee, be re-circulated for the purpose of obtaining further opinion thereon from the public including the District Boards and Automobile Associations, wherever they exist, in the light of the decisions taken at the recent Rail and Road Conference and the Mitchell-Kirkness Report, by the 30th June, 1934.”

The discussion will take place on this amended amendment.

Mr. F. E. James : Sir, we do not support the amendment for re-circulation, but support the passage of the Bill as it stands into law partly because of the history of this measure and partly because of its intention. But, in saying that, I desire to offer two observations of which one will be directed to the Honourable Member for Railways and the other will be directed more specially to the Honourable Member for Industries and Labour. It is unfortunate that on the matter of transport and communications generally we have to address ourselves to two Honourable Members. It would have been far more convenient if we had to address our remarks to one Honourable Member in charge of the communications portfolio. That, I hope, will come in a short time.

Now, Sir, the first observation I wish to make is this, and it arises out of some information which we elicited from the Honourable the Commerce Member this morning. As I understand the position, there are three classes of railways, that is, State railways, light railways and Company-owned railways. I am not now speaking of the District Board railways. A State railway, I understand, has already the power to run a bus service. This Bill is designed to give the light railways more particularly that same power, but it cannot touch the powers of those railways which derive their constitution and authority from an Act of the British Parliament. I understood from the Honourable Member this morning that he did not propose to take any steps in that direction unless he was specifically asked by one or other of those railway companies to secure an amendment of their Acts so as to enable them to enjoy the same facilities which he proposes to give to the light railways. The point I wish to make now is that if such companies do make an application, will the Honourable Member consider favourably taking steps to put them in exactly the same

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position as the other railways? For, apart from that, I see no justification whatsoever, as I said this morning, for any differentiation in this matter. The whole difficulty in this question of transport is that we have dealt with it in a piecemeal manner. This Bill obviously rectifies the position in regard to one class of railways acting under authority in this country. I should have thought that, if the position of railways generally were to be regularised, steps should have been taken to place all railways on the same basis. That, therefore, is my first observation. In passing, I would like to point out in reply to some of the remarks that have been made on the other side of the House that both this Bill and the further steps that I propose should be taken by the Honourable Member for Commerce are entirely consistent with the conclusions which were reached by the Mitchell-Kirkness Committee. You will find those conclusions particularly in paragraphs 36-39, 34-35, 42, 43 and 52. I will summarise the more important recommendations of that Committee which go to show that railways must be given the same facility in regard to road transport, if they are to fulfil their functions, competing adequately with ordinary motor transport. This is a brief summary of paragraph 53 :

“ There are of course objections to railways coming on the roads, but, in view of the amount of public capital invested in railways, it is arguable that where the railways and particularly the light railways, having developed a route, cannot offer on the railway the facilities which motor transport offers, they should at least have the option of doing so on the roads.”

And also there is another paragraph which, summarised, reads as follows :

“ The solution in many cases may lie with the Railways themselves operating motor transport on parallel roads.”

The railways would of course have to be protected from uneconomic competition from other concerns ; and I will add as a corollary to that, that the other concerns would likewise have to be protected against uneconomic competition from railways. Therefore, I think that the Honourable Member for Commerce is absolutely on safe grounds as far as the general principle which underlies this Bill is concerned. My only concern is that it is another example of piecemeal action in regard to a question which is crying out to be dealt with on a more comprehensive scale, and I do beg the Honourable Member for Commerce to give this House some assurance that the same facilities will, if they are asked for, be provided in the case of railways operating under Acts of Parliament.

Now, Sir, the second observation I wish to make would be addressed to Sir Joseph Noyce. (Laughter.)

The Honourable Sir Frank Noyce : I am glad to find, Sir, that the Honourable Member recognises that in this matter Sir Joseph Bhore's heart and mine beat as one. (Laughter.)

Mr. F. E. James : I am very glad to have the assurance of Sir Frank Bhore (Laughter), and, if I may, to address my remarks now to the Siamese twins of Government. (Laughter.) I want once more to take the opportunity which I believe is afforded to me under the discussion of this Bill to call attention to the need for a really constructive plan in regard to the whole question of communications, both road and rail, and to inquire what stage has now been reached in carrying out investigations

in regard to some of the proposals which were made at the recent Rail-Road Conference. I would refer particularly to three Resolutions which bear on this question of rail-road competition. I would remind the House that this Conference consisted of representatives of Local Governments as well as representatives of the Government of India, of representatives of the railways and of representatives of public bodies and interests general. The first Resolution stated that the Conference was of the opinion that the time had come for increased co-operation and more intelligent co-ordination of effort between the various authorities and interests concerned in the matter of (i) future railway development, and (ii) the future development of road communications whether used for motor transport or other purposes. And the Resolution goes on to state that in areas where uneconomic competition between railway and road transport has been proved to exist, such increased co-operation and co-ordination may necessitate the adoption by mutual agreement of measures designed to reduce such uneconomic competition to the minimum compatible with the maintenance of healthy competition. Nobody can possibly deny that in different parts of the country there is the most hopelessly uneconomic competition between the railway and the road. I can quote at least five important routes in the Madras-Presidency itself where on parallel lines road and rail are indulging in the most foolish and ridiculous competition over passenger traffic. Similarly, there is equally stupid and unnecessary uneconomic competition in regard to the transportation of goods. Those of us who have followed the proceedings in the British Houses of Parliament in regard to the Road-Rail Bill—I think it is called the Traffic Bill—which has recently passed the House of Commons, will know that one of the most important proposals there is the establishment of advisory councils which will go into the question of this very important point of uneconomic competition in regard to passenger traffic and in regard to the carriage freight as between road and rail. I wonder whether, if this Bill goes through and railway companies assume the facilities which are being given by it, there is any machinery contemplated whereby hopeless cut-throat competition can be avoided, with the result that both the bus services and the railway companies are injured.

A further point which was made by this Conference was that any comprehensive or uniform plan of general development must sooner or later involve the gradual extension of facilities for rural motor transport complementary to the railways and to other arterial forms of transport; but as internal district communications are largely controlled by local bodies, there must be some inter-provincial co-ordination of effort in the first place. Now, as far as development of rural communications is concerned, every one who takes an interest in provincial matters particularly knows that this has become a matter of urgent importance, in view of the great increase in population. Therefore if the provinces are to develop both by means of opening up of roads and by the development of motor transport, independent of and ancillary to the rail service, there must be as soon as possible some co-ordinated effort in the provinces as well as at the centre; and I should like to know from the Honourable Member who deals particularly with the subject as to what steps are being taken to make the necessary inquiries which will lead to the implementing of these proposals made at this Road-Rail Conference.

We feel that it is a very urgent matter and a very important matter. It is true of communications as of everything else that, where there is no

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vision, the people perish : in other words, the people suffer where there is no largeness of constructive plan. Unless now the matter is taken in hand in the largest possible way with the combined vision of the two Members who are in charge of these two great portfolios, then I fear that ultimately the District Boards, of which my friend Mr. Reddi spoke just now, will suffer : the people will suffer ; the railways will suffer ; and those who are interested in motor transport itself will suffer. Therefore, while giving our support to the passage of this Bill, we make these two observations, and we appeal to the Members concerned not to rest upon the passage of this Bill. If I may put my attitude to this Bill in a parodied form of an old verse, I would say :

“ It is not enough,
This piece-meal stuff ;
We ask for more,
Sir Joseph Bhore : ”

and we shall go on asking for more until we get it.

Shaikh Sadiq Hasan (East Central Punjab : Muhammadan) : Sir, I beg to move the following amendment which stands in my name :

“ That the Bill, as reported by the Select Committee, be re-committed to the Select Committee.”

Sir, I am opposed to the Bill as it has emerged from the Select Committee. If the Honourable Members were to read carefully the opinions, they will find that, with very few exceptions, all the Indian representative bodies have opposed this Bill. Amongst them I would mention the names of the Indian Chamber of Commerce, the Indian Merchants' Chamber, Bengal Trades Association, Bengal National Chamber of Commerce, the Southern Indian Chamber of Commerce, and, besides these, it is quite natural for the motor transport companies and workers to oppose this Bill. It may be said that this Bill has been altered by the Select Committee and their opinions have changed. But I have got the admission of the members of the Select Committee who say that the main principles of this Bill have not been changed and there have been changes only in detail. One great principle they have established they say is this : that there will be no differential treatment between railway companies who run motor buses and the other motor bus companies, and, for this, I propose, the country should raise statues to them. I would say plainly that the Assembly will be playing into the hands of the railway companies if they allow this unfair competition to take place. It is an admitted fact that the railway companies have got great financial resources : they have got brains behind them ; they have got all sorts of help and facilities from the Government. There is not the least doubt that in their own business they have got a monopoly, because no one can run parallel lines to theirs. Now these people want to compete against whom ? If they were to compete against big motor companies, I would have conceded that it would be a fair competition. But unfortunately the competition is very unfair. Whereas on the one hand they have got such big resources, on the other hand who are the people with whom they are competing ? Poor people who have bought buses mortgaging their houses, selling their wives' ornaments, and, in certain cases, possibly borrowing money from money-lenders—these are the people against whom the railway companies are going to fight. What

is going to be the result? The result will be what everyone knows. These people are going to be wiped out with the result that all the money invested by these poor people will be lost; and I consider that the Government will be mainly responsible for their ruination. I would say that it is very easy for these railway companies to defeat these poor individuals. These railway companies have got big resources and so they can easily cut down freights and fares as my friend, Dr. DeSouza, has shown, reading from a report. I may tell the House that the same thing happened in the case of Turner Morrison, with the result that they wiped out two Indian companies, Schustery and others; and the proprietors of those companies are at the door of begging, and the same will happen in the case of bus owners. The danger, I have said, is not only the loss of money of these poor individuals, the bus owners, but also the avenues for business in this line will be shut and closed to many young men and *ex*-soldiers. At the present moment students, *ex*-soldiers and many other people, who want to earn their livelihood as chauffeurs, work on these motor buses, gain experience and begin to earn their livelihood independently after a time by running their own motor buses and lorries. When the railway companies will start to compete with these bus owners, it will not be possible for these poor people to earn their livelihood, with the result that this avenue of business will be closed to them.

An Honourable Member : Will not the railway companies employ *ex*-soldiers?

Shaikh Sadiq Hasan : *Ex*-soldiers will have no chance of becoming bus owners and plying their own trade.

Mr. Jagan Nath Aggarwal (Jullundur Division : Non-Muhamadan) : How many *ex*-soldiers have Messrs. Martin and Company engaged in their service?

Shaikh Sadiq Hasan : I do not know how many people they have engaged. Now, Sir, it is not only these people who would suffer, but, as the House is aware, many people have opened motor workshops and accessories shops; they have invested thousands of rupees, and there are hundreds of these shops all over the country. If this motor and lorry business is closed, the result will be that these workshops also will have to be closed, because the railway companies will have their own workshops. I consider, Sir, that the duty of the State is to help the poor people, to create new businesses, and not to close down existing businesses. Our benign Government have done nothing to help the poor in starting new business ventures for the last so many years; on the other hand, by this measure they are going to ruin the poor people who have been in this line for so many years. Let us consider for a moment why these railway companies are anxious to ply bus and lorry services. They say, they are losing heavily in these days. Whose fault is it? Why should they have such top-heavy administration? I do not know much about the light railway companies, but I know something about the administration of the North Western Railway, and I suppose it will be the same in these light railway companies. The North Western Railway has a very highly paid staff. I do not mind if they are well paid, but they do not do much work, because there is not much work to do; but still these *cushy* jobs are kept on to pay big salaries to the officials. If these companies want to earn a profit, they should work like other companies on a commercial basis. They should consider that

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they are not Government Departments. The function of the Government Departments is to rule, while these railway companies are commercial concerns and they should work in an economic manner. They should have better management, they should be more courteous to the travelling public.

I would also point out that when the prices of all the commodities have gone down, there is no earthly reason why the railway companies should not reduce their tariff rates. If the railway companies were to adopt all these things and improve their service, I am sure, these railway lines could be worked more profitably and they will be able to compete very successfully with people owning buses and lorries.

Sir, I wanted to propose the rejection of this Bill, but unfortunately I find there is an overwhelming Government majority backed as it is by a large number of non-official Members, and so I cannot make any such proposal at present ; but there is one thing which is satisfactory. We have got the Honourable Sir Joseph Bhole in the Select Committee. He has always been very sympathetic, and I think, if the Bill goes back to the Select Committee, he may again ponder over the whole problem and find out some way to see that the interests of the poor people are not in any way injured. I have two suggestions to make. First of all, these railway companies should not be permitted to operate any motor services on roads or in areas where there is already some other private service in existence. Certainly, I would welcome their opening new services in undeveloped areas, because such services will be of great use to the country and also beneficial to the railway companies themselves as they will be able to make more income ; but where the buses are already plying, if the railway companies also start cut-throat competition, it will be disastrous to every one. My second suggestion is, if the Government cannot agree to my first proposal, at least they should prevent uneconomic competition, and that could be done just as Signor Mussolini has done in several cases by compulsory arbitration, and by fixing the rate of hire and freight.

Mr. President (The Honourable Sir Shanmukham Chetty) : Further amendment moved :

“ That the Bill, as reported by the Select Committee, be re-committed to the Select Committee.”

The discussion will now take place on the original motion and the two amendments moved.

Rao Bahadur B. L. Patil (Bombay Southern Division : Non-Muhamadan Rural) : Sir, I rise to support the amendment moved by my friend, the last speaker. In my opinion, there is one principal objection to the Bill passing into law as it now stands emerging from the Select Committee. If we look at the newly added proposed section, we find that it is extraordinarily indefinite. It simply means that the Governor General wants to take full powers in his own hands. It is not possible for this House to know or for the country to know under what circumstances or under what conditions such schemes will be sanctioned by the Government. Therefore, my simple suggestion to this Assembly will be to provide in this Bill a clause which would give power to Government to make rules, and further, I should like that those rules should

be placed on the table of this House. This is my simple suggestion, and I support the amendment for the re-committal of this Bill to the Select Committee.

Mr. M. Maswood Ahmad (Patna and Chota Nagpur *cum* Orissa : Muhammadan) : Sir, I have listened very carefully to all the speeches that have been made here on this subject. In the beginning, I thought I would be able to get some new proposals or ideas from Honourable Members to enable us to change our mind, but I am sorry to say that nothing new has been said by any of the speakers who have preceded me. Many questions have been raised in the course of the discussion, and considerable stress was laid on the fact that a severe competition will take place between the big railway systems and the poor bus owners, but I say that this will not be the case at all. We want to give power to poor railways, *i.e.*, the smaller railways. The big railway systems, the State-managed railways, have already all these powers which are not given now to light railways and other poor railway companies, and so we want to give these powers to them.

Then, Sir, something was said about Local Boards and Local Governments. In this connection I may say that we carefully examined all these questions. There is no new question before us, and we have stated that sanction will be accorded only after consulting the Local Governments. This question was also discussed with Local Governments, and Local Governments generally give their opinion only after consulting the District Boards and others.

If my Honourable friend, Shaikh Sadiq Hasan, or Mr. Reddi, or others, who have spoken opposed the Bill *in toto*, then it would be something, but when they want to circulate it or to re-commit the Bill to the Select Committee what useful purpose will be served? The Mitchell-Kirkness report, the opinion of all the Local Governments, and every other information were before the Committee.

I am aware of the fact that in my own province the Local Government sent this Bill and connected papers to District Boards as well and that matter was considered in the Patna District Board of which I was a member. I also believe that that matter was discussed by other District Boards as well in my province. I believe the same thing has happened in other provinces. So, by sending this Bill again for circulation, no useful purpose would be served. There will be no use referring this Bill again to the Select Committee, because all the points that have been raised were discussed there already.

The other point raised is that roads are a provincial subject. In this connection, I want to say this. The matter will certainly go before the Local Governments as recommended by the Select Committee and, before giving their opinion, they will consult Local Boards, District Boards and interested local authorities, and satisfy themselves that the thing is necessary in the interests of the public. I want in this connection to quote the case of a light railway in Bihar which runs between Bukhtiarpore and Rajgir. That company is seriously affected by this motor bus competition, rather by motor taxi competition. The share of the income of the Patna District Board was Rs. 55,000 a year, but owing to motor competition—though the motors were very bad buses and people sometimes suffered very much while travelling in those buses—the share of the Patna District Board was reduced to Rs. 7,000. In the

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end, the Patna District Board moved a resolution and sent it on to the Government asking them to take away the whole of the light railway line from that road and to put it on at some other place. You may imagine how much money will have to be spent in taking the line from that road and putting it on on some other road. These things are happening every day. I warn Government that if we pass this Bill, it does not mean that we approve that the State-managed railways also should run these bus services. If that question is under consideration, I will suggest that this be placed before the Assembly separately. With these words, I support this Bill.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran : Non-Muhammadan) : Sir, my Honourable friend, Mr. James, in lending his support to the Bill referred to the history of the legislation. I wish he had been more explicit. Does he refer to the resolution which was passed by the Associated Chambers of Commerce of India and Ceylon in December, 1930, with which Association I presume my Honourable friend must be associated in some way or other, and on the lines of which this legislation proceeds? I should like to know in this connection from the Government whether they received representations from Indian associations or Indian public bodies suggesting the lines of this legislation? However that may be, the object of the Bill is to authorise certain classes of railways to run motor buses in competition with private motor buses. Indian public opinion is decidedly opposed to giving any sort of authority to the railways concerned. Let me refer to the Mitchell-Kirkness report. In the first place, this enquiry was conducted by two gentlemen,—Mr. Mitchell who, at that time, was the Road Engineer to the Government of India, and Mr. Kirkness, who was an officer on special duty with the Railway Board. No Indian, no non-official was connected with this enquiry, and, last of all, no representative of automobile associations, the trade which is most directly affected, was included in this enquiry. I am not going to cast any sort of reflection upon the impartiality of these two gentlemen, but I must point out that consciously or unconsciously, I shall be charitable enough to assume that unconsciously, they were imbued with a sort of bias in favour of the proposal of the Government and of the railways rather than against it. What does this report say? In the first page it says :

“.....nearly one-half of the total mileage of railways in British India has a metalled road parallel and within ten miles of it, and probably most of the roads were there first.”

That means that in old times roads existed before railways, and, when the traffic on the roads became lucrative, the railway companies started building their own railway lines in order to take off the traffic from the roads. In those days, most of the traffic on the roads was confined to *ekkas* and bullock carts. Now the railways, having opened their railway lines parallel to these roads, took off the traffic that was then going on the roads. The owners of these *ekkas* and bullock carts being poor people, illiterate and unorganised, had no voice in the matter. So, the railway companies had in everything their own way. Why did people leave off road traffic at that time, and take to railway traffic? For the obvious reason that the railways at that time afforded a cheap and convenient mode of conveyance, exactly for the same reason that many years after-

wards, motor cars and buses which have now started are cheap and convenient, and, therefore, are taking off the bulk of the traffic from the railways in their vicinity. It has been stated that railways are losing about Rs. two crores every year on account of this motor competition. The railways have virtually enjoyed a monopoly in this country for a long time, and now they want to encroach upon private trade as well when they find that certain portions of their railways are not economically self-supporting. Motor buses provide a rapid and frequent service for short distances, and the railway can hardly hope to compete with them on equal terms.

With regard to this legislation, I began by saying that the volume of public opinion is decidedly against it. And this has been admitted by the Report to which I have referred. At page 30, for instance, this is what it says :

“We have found a volume of opinion in favour of allowing unrestricted motor competition to develop unchecked. Generally these opinions were based on the alleged unsatisfactory service often provided by railways. It was argued that healthy competition would stimulate railways to meet the needs of the public better than, it is stated, they are doing ; that railways have hitherto been disposed to take advantage of their monopoly and ignore public needs ; and that already such motor competition, as there is, has to some extent made railway administrations more reasonable.”

Then, again, the same point has been expressed on page 34, paragraph 43 of the report to which I need not refer more specifically. Now, the question which will arise in this connection is whether the railways will be in a position to compete on level terms with private motor transport service. Well, it is the opinion of the Report that they will not be able to do so unless they are given some sort of protection or monopoly as it were. This is what they say on page 37, paragraph 48 :

“It must be admitted that if railways are allowed to operate road motor services, they would require to be protected. Under present conditions, it would be impossible for railways to compete with many of the buses now running on parallel roads. Railways would be expected to provide a good standard of vehicle, subject to strict periodical inspection ; the staff working the vehicles would be railway staff working under railway conditions ; and the services would be regulated as regards time, speed, and the fares charged ; adequate protection of the railway bus services would, therefore, involve a monopoly ; otherwise if a railway operated buses on a route and developed traffic on it, a number of owner bus drivers might obtain permits on the same road and indulge in a rate cutting war which, while it might temporarily benefit the public, would not ultimately be to their interests.”

It is abundantly clear from the quotation which I have read out that the scheme contemplated in this Report is that the railways concerned should be given some sort of monopoly over particular routes, and the local licensing authorities should not give licences to private motor buses to run their buses on those routes on which the railways would be entitled to run their service. This, I submit, is a most unwarranted interference with the rights of private enterprise in this matter, and I would strongly deprecate any such action being taken. Now, the majority of those who run motor buses or motor cars are their own owners. It is easy for them to run their motors on very economic terms, while it would be difficult for the railways to do so if they are left to compete on equal terms. As I have stated, there is a volume of opinion against the proposal embodied in the Bill. I need not refer to all of them, but I must say in passing that the Bangalore Trades Association, the District and Sessions Judge of Raipur in the Central Provinces, the Indian Chamber of Commerce of the Punjab, the Bihar and Orissa

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Government, the Indian Merchants Chamber of Bombay and all motor associations are opposed to this course being adopted. Now, I will just refer to the opinion of the Indian Chamber of Commerce, Punjab. This Chamber says as to the reasons why railways have been unable to compete successfully with private buses, that railways are at present working on uneconomic lines and no attempt has been made to commercialise them, that their administrative expenditure is top-heavy, and that the railway buses shall not be able to compete with private bus owners as their supervision and working expense will be very heavy.

The Committee has given further reasons why the railways have failed to compete with the motor buses and also their shortcomings in many ways. The first thing is extravagance and the unbusiness like manner in which the finances were handled during the prosperity days of the railways. Secondly, the failure to organise the accounts of the system in accordance with the report of Sir Charles Dickson, thirdly, increase of railway fares and the consequent fall in the passenger traffic in the present days of depression, incivility and discourtesy on the part of the railway staff to the Indian passengers generally, even the black Anglo-Indian women ticket collectors insult respectable Indian lady passengers. Now, this is a notorious thing that third class passengers specially are subjected to incivil treatment, and racial discrimination is rampant on some of the railways. A question has been asked in this House with regard to a certain incident which happened on the 8th August, on the Kalka-Simla Railway. It is said that on the 8th August, some Indian ladies were travelling from Summerhill to Simla with a dog, and they were asked to purchase a dog ticket by the Summerhill station staff, and they were asked by the Simla staff to present their dog ticket on their arrival in Simla, but it is stated that a European lady had two dogs in a first class compartment travelling by the same train, and no dog ticket was asked for from her at the Simla station. This question will, I understand, come up for answer in this House in a few days' time, so I shall not say anything about this incident ; but it is the experience of many of the Indians travelling that racial discrimination still prevails on some of the railways, and that is one of the reasons why the railways are deserted in favour of road motors, wherever possible, on short distances.

Now, I will refer to one little point in my own province of Bihar. There is a ferry service between Paleza Ghat on the B. N. W. Railway, and Digha Ghat on the East Indian Railway, crossing the Ganges. From Digha Ghat to Patna Railway junction there used to be a regular railway service, but for some years they have entirely discontinued that service, with the result that passengers were put to a lot of inconvenience in travelling between these two points, a distance of four or five miles. They naturally took to roads, and motors and *ekkas* and other private conveyances came into existence, with the result that the former inconvenience of passengers has disappeared. The East Indian railway, so long as it was remunerative for them, kept up the railway service between these two points, but as soon as it was inconvenient for them by frequent shifting in the course of the Ganges,

and as it was not paying, they abandoned the whole line altogether leaving the passengers to their fate, with the result that motor buses, motor cars and other means of transport came into requisition, and passengers are now being transported without much trouble and inconvenience. There is another point to which, I should like to make a reference, and it is this. From Patna Junction to Delhi there used to be a through carriage attached, but on the ground that it was not remunerative for them, they have discontinued it for some time with the result that passengers travelling from North Bihar to Delhi or Simla have to put up with a lot of inconvenience at Patna, and we have now to travel by Bengal and North Western Railway up to Benares, and then take the East Indian Railway. If this through carriage had been continued, the traffic which is now taken away by the Bengal and North Western Railway would have gone to the East Indian Railway. I myself raised this question, but was referred to the Agent, East Indian Railway, and that being a State railway, public opinion was not much heard and nothing has been done up till now.

Mr. Lalchand Navalraj (Sind : Non-Muhammadan Rural) : Does the Honourable Member know that we sail in the same boat ?

Mr. Gaya Prasad Singh : I am glad to hear that, Sorrow shared is sorrow soothed. The Punjab Mail, a very important train, connecting Kalka with Calcutta has been running for a long number of years, since its very inception, on the main line. Their project is to divert the Punjab Mail, *via* the Grand Chord with the result that it will be very inconvenient for passengers in north Bihar and Patna to travel comfortably.

Mr. M. Maswood Ahmad : Is the Honourable Member in order in referring to all these ?

Mr. Gaya Prasad Singh : I was going to suggest that the bulk of traffic has been taken away by the road motor due to the neglect and negligence of the railways concerned in ministering to the comfort and convenience of the travelling public. That is the opinion of the Indian Chamber of Commerce, Punjab, to which I have made a reference. The other reasons are slackness to afford proper facilities to passengers in hot and cold weather, bribery and corruption and wastage in goods and parcels and consequent diversion to the traffic of motor buses. So, it is the railways concerned which have to thank themselves if their lines are being deserted in favour of motor buses wherever possible. There are 45,000 motor lorries and buses in India which bring about eight crores and 30 lakhs to the Government yearly in the supply of passengers as feeders to railways, and by way of transport of petrol and other accessories. We have just read the report of the railway committee in London which proposes to set up an independent railway authority. Whatever little control we have over the policy of railway administration will be taken away from our hands if that authority is constituted. If the proposal is carried out, that authority will be constituted as a result of legislation not of this House but by an Act of Parliament. Under these circumstances, we shall be depriving ourselves of whatever little control we have over railway administration by giving liberty to the railways concerned in plying their own motor service in competition with private enterprise. The question of Indian hands and indigenous materials is also to be considered. The private

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motor buses are owned mostly by Indians and they engage indigenous materials. They have got no monopoly, no rate competition, and so on. But if the railways concerned are allowed to run their own motor services, it will mean that foreign agencies will be employed, foreign materials will be purchased, and that, by indulging in rate cutting competition, private motor buses will be wiped out of existence, and then virtually a monopoly will be secured to these railway companies. What was the opinion of the Railway Board itself on this point when the Indian Road Development Committee submitted its report. At page 19 of the Report, the Railway Board say :

“ Generally speaking, any scheme by which the development of the road system of India will receive an impetus, will be welcomed by the railway administration. The benefits that may be expected from it probably far outweigh the losses that may be suffered in some areas from the competition that will arise from road motor traffic. It is natural that in the replies received by the Committee from railways the latter should have expressed themselves as opposed to the construction of roads parallel to and running alongside the railway lines, but it must be recognised that a road system will have to be connected up and cannot be limited to roads more or less at right angles to railways.”

At page 52 of the same Report, the Road Development Committee state as follows :

“ In our opinion, monopoly services are undesirable, because they restrict competition and may lead to many obvious abuses.”

The proposal which the Government have in view in this Bill will lead virtually to a monopoly for the railways concerned, and, therefore, it is undesirable both from the public point of view and the point of view of private motor enterprise. I am opposed to allowing this motion to be passed. As regards the proposal of my Honourable friend that it be recommitted to the same Select Committee, I have absolutely no sympathy with it. I do not know what advantage will be gained by referring the matter to the same Select Committee which has already expressed its opinion according to their lights. Therefore, the best thing under the circumstances would be for Government to abandon this legislation now, but considering the facilities which Government have in this House, as it is constituted at present, I am afraid that my suggestion will not be acceptable to them, and they will force the motion on the House and pass the legislation which they have in view.

Khan Bahadur Haji Wajihuddin (Cities of the United Provinces : Muhammadan Urban) : Sir, this Bill empowers the railway companies to operate motor vehicles in conjunction with the existing system of railways, which has not only created a great consternation amongst those thousands of people in this country who are at present making a living out of the business of motor transport, but it has also caused a serious misgiving among the whole motor trade itself owing to the various implications that this Bill would entail.

Sir, it is common knowledge that the business of motor transport is already overburdened with taxes and restriction, and this will be a further step in the direction of curtailing a valuable industry and depriving poor Indians of the advantage they are enjoying today.

In a country so vast as this continent of India, the advent of motor transport has been a great boon to millions of people by providing for

them easy and inexpensive means of transport from one place to another, particularly for short distances. In this poor country where people generally have not money enough to invest in big industrial concerns, the motor transport opened up a very easy and simple business to many a one who could afford to invest a small initial capital of a few hundred rupees in buying a lorry or taxi on hire purchase system which gave them not only a wide range of service anywhere they liked, but also gave them a modest return on their small investment. Sir, it may be

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noted that as soon as this business began to flourish and people in large numbers began to flock into this line of business, new rules and regulations, combined with high rates of licence fees, in many places, were imposed on them which no doubt have already restricted this mode of transport to a certain extent. Sir, I quite realise that the railway earnings have dwindled to a great extent, but I assure the House that it is not only on account of the competition by private enterprise of lorries and bus-owners, but it is largely due to the unsympathetic treatment of the educated railway staff with ignorant third class passengers who now prefer to patronise private enterprise. I, therefore, ask, Sir, is it fair that with a view to saving the railway companies from all healthy and fair competition with private taxis, this Bill has been brought before us which, I think, you will agree with me, restricts the activities of thousands of private owners who are catering for public convenience and thereby making an honest living for themselves after paying the Government a fair share of their incomes? Sir, a perusal of the Select Committee's report shows that the railway companies should not receive any differential treatment whatsoever, but should compete with private enterprise on "level terms". I appreciate such a pious wish on their part, but, Sir, it is quite apparent that there can be no "level terms" on a basis of unequal financial resources and, sooner or later, the vast financial superiority of the railways will surely drive the private buses altogether out of the Indian roads. If, however, Sir, the railway bus services are to be considered for all practical purposes as quite apart from the actual railway systems and just as good as any other private concern, I think there should be a clear clause in the Bill to the effect that the accounts and finances of the two should be kept entirely separate and that, under no circumstances, should any funds from the general revenues of the railways be spent in aid of the railway bus service in case it happens that the service cannot pay itself or is bound to run at a loss owing to open competition from private combines. The object of this Bill should be fair competition with other concerns and not sole monopoly for railways. The aim should be better service for the public and not highest dividends for railway companies alone. In conclusion, let me say frankly that the rights and privileges of all those concerned, namely, the private owners and the poor passengers as well as motor traders, should be adequately safeguarded in the Bill. With these observations, I will resume my seat.

Mr. D. K. Lahiri Chaudhury (Bengal : Landholders) : Sir, I am a man who has always got at least the courage of his convictions, and it is rather a painful duty on my part to differ from my friend, Mr. Reddi, and my friend, Mr. Sadiq Hasan, and I am giving my reasons for that.

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Here we have got the Report of the Select Committee. I have got experience in this Assembly for eight years and I have not seen any other Report of a Select Committee without a minute of dissent. Here we find that all the signatories of the Report have agreed with it. Are we to take it that those members who sat in this Committee did not consider all the aspects of this question or that, simply because they were members of the Select Committee, they blindly followed the Chairman of the Committee? And what I find from the Report of the Select Committee is that an effort has been made to amend the Bill in a form which will be and ought to be acceptable to the House and to the country. I am taking some of the aspects of the Report of the Select Committee. Here, the Select Committee have very rightly considered some of the most important points. It cannot be said that they have ignored totally the interests of the private bus-owners. It has been rightly pointed out by different speakers on the floor of this House, and even an assurance has been given by the Member in charge of the Bill, in reply to a question by Mr. Neogy, that the bigger railways are not raising this point and are not going to compete with the private motor bus-owners. So the object is only confined to the small railways. From the different speeches which have been made on the floor of this House, it can be easily detected that the speakers practically failed to follow their argument that the private bus-owners will be losers in this concern. If I may take the point of my friend, Mr. Reddi, he quoted from the opinion of the Madras Government where it is generally stated :

“ The Government of Madras understand that the Corporations of Calcutta and Bombay and the Madras Electric Tramways Company have tried the experiment of running their own buses and have lost heavily.”

Here he made a little mistake and I think the Honourable Member did not go through it quite as properly as he ought to have done. It is not the Calcutta Corporation, but the Calcutta Electric Tramway Company that were running buses at a loss. Now we can decide from that that practically speaking even if the railway company starts competition, that will not injure the interests of the private bus-owners. That is the real point which ought to be looked at. Then, again, there is another point that Mr. Reddi made that the Local Government will not have power to control these motor buses. I think he is under some misapprehension, because it is clearly stated in the Report of the Select Committee that the Local Government will be consulted and that they will consult the private bus-owners of the locality and, after considering their views, they will recommend to the Central Government who will direct the local railways to administer it.

Mr. S. C. Sen (Bengal National Chamber of Commerce : Indian Commerce) : Where do you find that the Local Government will consult the private bus-owners ?

Mr. D. K. Lahiri Chaudhury : It is in the Select Committee's Report.

“ We decided that, for the present, it will be best to leave the decision to the Governor General in Council, acting in consultation with the Local Government, to determine the extent of each service, on a full consideration of all the local circumstances.”

So it may be assumed that the Local Government will certainly consult the private bus-owners. If the Honourable Member will take the pains to read further on, he will find that the Local Government in consultation with the private bus-owners will recommend to the Central Government and, on that, the Central Government will empower the small railways to start motor buses. One point is this that the Local Government will make the report in consultation with the private bus-owners. That is a fundamental point which should not be missed by Honourable Members here. Then one point I want to emphasise is this. What are the small companies gaining? If they do not gain, they will not start the motor buses. I congratulate Mr. Reddi on the soft corner that he has in his heart for the small companies when he says that they may be losers, and so this Bill is not necessary at all at this moment. Mr. Reddi has made it quite clear that the railway companies which will run the buses will be losers and so the Bill at present is not at all necessary. I think the people in the railways have got sufficient intelligence not to start such a scheme, if it will be a losing concern. If they lose, they will not start it: they will stop it from a mere commercial point of view. But if it is not, why should not the small railway companies be allowed to run their buses if they do not stand in the way of the private bus-owners? It is evident in many places where there is regular competition that the private bus-owners are not losers. In Calcutta, where there is such keen competition among motor buses, the private bus-owners are still not losers. It is not, therefore, right to say that the passing of this legislation will hamper the private bus-owners. It will not. Rather it will create good competition and give good facilities for transport. The first and foremost duty of Honourable Members here is to support anything which will give increased facilities for transport and nobody can deny that this measure is such and should not, therefore, be objected to. To enlighten my friend, Mr. Sen, I will read out a portion of the Select Committee Report:

"The third important decision we reached was that railway companies should not receive any differential treatment whatsoever in respect of these new services. In particular our intention is that they should not enjoy any exemptions from taxation or from licensing regulations, but should compete with private enterprise on level terms."

That is a safeguard for these private owners. There cannot be any more safeguards than that.

In this connection I will draw the attention of Honourable Members to what has been said that District Boards will be losers if this Bill is passed. I think that the District Boards will be gainers, because if there is keen competition and motor buses run on the roads of District Boards, they will derive additional income. And, as I have pointed out, there will be no preferential treatment given to any one. That is a point which ought to be taken into consideration.

Then, as a landlord, I am one who believes that our interests and prosperity and happiness depends on that of the agriculturist; and, if there is any improvement in the price of agricultural produce, automatically the condition of the landlords is improved. It is really a fundamental theory of economics that, by exchange of imports and exports, the agricultural condition of the country can be improved; and if, by this or any other scheme, we can bring some machinery or capital from foreign countries, naturally it enables our produce to be exported. We know

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how our agriculturists are suffering in the present financial crisis and if any measure is passed, however insignificant it may be—and I do not believe that only by passing this Bill the agriculturist will improve greatly—even if it be a drop in the ocean, I do not see why we should not take it by all legitimate means. As one of those, therefore, who have dealt with this Bill on its merits and who has an independent view, I stand shoulder to shoulder with every observation that has been made in support of this Bill; and I think when the Select Committee has unanimously supported the Bill and amended it in a form which is really reasonable and justified, giving every facility to transport in this country, I cannot stand in opposition to this particular Bill. I would request Honourable Members who are present here to realise that particular point: that any Member sitting on this side of the House should agree with me on this particular issue of ameliorating the condition of the agriculturist: their condition can be improved only by improvement of exchange of imports and exports; and if we bring out capital from foreign countries in one way or other, it is only then and then alone that we can ensure the improvement of our own indigenous products. For these reasons and for the other reasons that I have stated already, I conscientiously support the Bill and oppose the motions, both for circulation and for recommittal to Select Committee.

Mr. A. Hoon (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, although I have not had the pleasure or the honour of sitting on the Select Committee, I rise to support this Bill as it has emerged from the Select Committee, and recommend that it may be passed into law. When I heard Mr. Gaya Prasad Singh, I thought it was the day of the budget, because he began to ventilate domestic grievances which he always does in connection with the annual debate on the budget.

I believe the debate in this respect has drifted into channels which have nothing to do with the matter in hand. The points which have been made by certain Honourable Members are three, first, "why create a monopoly"?; second, which is really a point of greater importance, "that a large number of people will be thrown out of employment and will have no work to do"; and the third, that probably the traveller will not get the same facilities and the same courtesy which he now gets from the ordinary bus-owner. I submit that the point of monopoly is really a double edged argument. If we do not permit the small feeder railways to run motor services, it can be said that the other party gets the monopoly. Mr. Gaya Prasad Singh might say that feeder railways are fortified in their work by the fact that they have a licence. But I would tell Mr. Gaya Prasad Singh that if he can form a Company to run a feeder railway parallel to any old feeder railway and he asks for a licence, I shall heartily support that proposal in this House. Probably he will not be able to have that much of organisation, that much of capital and that much of technical knowledge which is necessary to start a feeder railway.

Then, with regard to the question of the people being thrown out of employment, I hope the Honourable Members who have taken up the cause of the private bus-owner will forgive me, when I say, that these

buses are really not run by organised concerns and that they are mostly a one-man show. There is lack of capital, lack of organisation, lack of technical knowledge, and, in fact, lack of everything. The efficiency of the drivers also is of an extremely low quality. On behalf of people who are in the habit of travelling, as I am, by these buses,—whenever I go out into the mufassil,—I can assure the House that it is extremely unpleasant to travel in them; and you can attribute all the inconvenience to the extreme want of organisation. The trouble is that the whole thing is managed by one man—generally a retired postmaster, or an Assistant Inspector of Schools who gets some provident fund and begins to ply a bus or two to make a sort of living.

Mr. S. G. Jog (Berar Representative) : You might put restrictions on them.

Mr. A. Hoon : But the experience teaches us that too much of restrictions will again bring about other troubles. Now, if, under those circumstances, the small railway companies are allowed to start their motor bus services side by side with private motor service, it will be really conducive to the comfort of the public, and, as far as the question of courtesy goes, I think we are getting more courtesy now from the railway employees than we used to get before, and I do not think that, taking everything into consideration, there is any longer much danger regarding the question of courtesy.

Then comes the question of employment to which reference was made by one or two speakers. If the railway companies start a bus service in a certain locality, they would certainly be in need of a large number of trained hands, and, I am sure, if these companies can get competent drivers and competent mechanics, now working for private owners, they will be ever ready to employ such people, and I may also say that the jobs of these people will be much more safe in the hands of the railway companies than in the hands of private individuals or private companies.

Further, it has been said that this competition will entirely cut out the private bus-owners. I do not think so. When the railways run their motor services, they will run their buses at regular hours, at regular rates, and there will be uniformity and regularity. We all know that regularity has a charm and irregularity has also got a charm. There will be many a man amongst us who would like to travel at odd hours, who would like to bargain for the fare, who would like to go from door to door instead of getting into the bus from one terminus and getting out of it at the other terminus and then carrying his packages to his house. I think there is a good deal to be said on that point, because if the railways run their service regularly from one terminus to the other, still there will be room for men to collect packages and passengers from door to door and stop their buses wherever they like, and even in between two stations if there be a fair going on, and if the majority of the passengers want them to stop to see the fair. I submit that under those circumstances, the right kind of bus-owner will survive, and it will be a case of the survival of the fittest. The man who can go round and canvass for passengers and goods, the man who can show courtesy, and the man who can manipulate his fares according to demand and supply is bound to survive, and I do not think we need entertain any serious fear that

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the owners of decent private buses will suffer heavily. We shall have competent drivers and competent mechanics. My friend, Mr. Gaya Prasad Singh, also said that many a man has invested huge sums of money in starting motor workshops, but I can assure my friend that no useful work has been done by any of these workshops. How many times the tyres puncture on the road, how many times the engine goes out of order on the road with these private buses ? Besides that, as these buses are run at irregular hours, the owners not only try to cut each other's throat so far as fares are concerned, but they run risks which I am afraid result in very serious accidents to passengers. I submit that under those circumstances we need not entertain any serious fears on that point.

Then, there is the question of public sympathy. Mr. Gaya Prasad Singh and all the other Members have said that there is a very large amount of public sympathy on this question. I quite agree. The public sympathy is mere sympathy with individuals, because I know when people who possess motor buses say that they are likely to suffer by this Bill. I also sympathise with them. My own opinion is that Honourable Members who sympathise with such people do so merely for the sake of showing sympathy, but this sympathy does not take into consideration all the wider questions involved as well as the general welfare of the public and the country at large. For these reasons, I commend that the Bill, as it has emerged from the Select Committee, be passed into law.

Mr. Jagan Nath Aggarwal : Sir, this measure was supported by my friend, Mr. James, with some reservations, but from this side of the House the last two speakers have supported it without any reservations, very heartily indeed. It is just as well to look into the reasons which led them to support it. One is free to admit that this Bill in the Select Committee has undergone some improvement. The Governor General in Council, after consultation with Local Governments, will certainly lay down conditions and schemes for transport which will not be the blank cheque which was sought to be given by the Honourable Member in charge of the Railways to the railway magnates. But, Sir, there are certain reasons which still make this Bill objectionable, and whether we succeed in removing those objections or not, it is just as well to draw attention to those points, because, otherwise, they are likely to be missed. The first thing that I would like to point out is that even though the Bill has a restricted scope, and applies to private railway companies only, leaving out the State-managed railways and guaranteed railways, the principle underlying it is objectionable. We know that the King's highway is open to all and sundry. You can bring your *ekka*, you can bring your *tum tum* or your car, and travel on it without let or hindrance, provided you satisfy certain local regulations. Then came the railway with huge State support and huge subsidies. What did the railways do ? They had a track to themselves, they monopolised the track, not like the original roadway on which everybody could bring his vehicle ; they had a monopoly of the track, and, with the assistance of the State, they had a huge staff, they imported locomotives and other mechanical contrivances. What has been the net upshot of all this railway adventure in this country ? The Honourable the Railway Member will pardon me if

I remind him that, with these guarantees, the railway working has been a huge drain on the Indian Exchequer. Money, to the extent of about seven hundred crores, has been spent on capital undertakings. We have been seeing in the railway budget during the last two years that they are drawing on their reserves and from their depreciation fund, and the Indian Exchequer is getting nothing out of the money spent on the railway undertakings ; they are barely able to pay interest. And, in the past, during the last fifty years, from 1850 right up to 1900, barring one year, the famine year, they never paid anything to the Exchequer. It is only during the last 20 years that they have become a paying proposition.

Now, Sir, what is the principle underlying this Bill ? The railways had a monopoly of their track, and now they want to be on the road as well. It is a strange proposition. Let me put it the other way. Suppose some road company or a bus company were to ask the railway magnates to allow them to work their track for running road motors, would that be tolerated for a minute ? It is only to be mentioned to be dismissed as preposterous.

The Honourable Sir Joseph Bhore : May I ask who paid for the railway track ?

Mr. Jagan Nath Aggarwal : The public, the long suffering public, of this country.

Now, Sir, I need not go into the chapter of extravagance of these railway companies, particularly of the East Indian Railway Company. The guarantee was given by the Government of India and the Secretary of State in such a manner that the Company was only concerned with the amount which was certified as having been spent. Whether the money was thrown into the Hooghly or whether it was spent on railways, was nobody's concern. Well, Sir, the principle is, the railways have a monopoly of their track. The road is open to all and sundry. Now the railways want to get their track and want to be on the road. Why is it ? That shows that, during the last ten years, there has been a great development of road transport. It is lucky that it is so. At a time of emergency, it is very lucky indeed—those of us, who can recall to their minds the great trouble that we had in the year 1919 at the time of the Third Afghan War and of troubles in the Punjab, will remember that railway travelling was a matter of considerable difficulty, you had to get passes and it was only with very great difficulty that you could get your goods booked. In those days, this road motor transport did not exist. If a situation like that arose, it would be lucky if you had road transport which would be useful for the military as well. In the Great War we know that all the private motor cars were requisitioned at a time of difficulty by the French Government. It is lucky that we have an alternative means of transport. But what is the position, and why do we object ? I say, this Bill is an argument of despair, it is a position of helplessness. By sheer competition the railways have failed to maintain their ground, and now they are coming to the State for help, to give them a right to compete, if I may say, on unequal terms with the private bus-owner. It may be said, it is over-stating the case to say that the railways are coming to the State for aid to compete on unequal terms. I quite admit, no monopoly is being granted in favour of the railway ; that is clear from the Bill itself. But then, as has been pointed out in this Report, which has been quoted by so many speakers, the railway,

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whether Company-owned or State-owned, is a huge capitalistic concern and its competition with a private bus-owner is certainly unfair. There can be no question of what the result of that competition would be. The private owner would go to the wall. My Honourable friend, Mr. Hoon, goes into raptures over that period when the private bus-owner, with his rickety bus or his engine failing at times, or punctures in the tyre, will go to the wall and disappear, and he is thinking of the London coaches which will be put on the road by the railway companies. I congratulate him for his foresight, but the point is that this idea of displacing the private bus-owner opens up an alarming possibility. I look at it from two points of view. If it is a case of a huge capitalist company killing out a private individual or an individual owner—the driver is generally the owner also,—then I stand up in opposition to that proposition, because you should not allow a huge capitalistic concern to kill out private owners and small traders doing business in their own way. And, Sir, what is more ? They have shown during these ten years of working in a fair field with the railways with their huge capital and staff that they can win and retain the favour of the public. There is a great point underlying it. They have made use of the roads and contributed to the Exchequer, as has been said, to the extent of Rs. 830 lakhs as their contribution to the Provincial and Central Governments, 45,000 buses are plying and they employ about 90,000 people annually in working them, and still many more in other auxiliary services. And there is further the fact that they have brought any amount of traffic to the railways the extent of which was calculated even in the Mitchell-Kirkness report to be something in the neighbourhood of Rs. 53 lakhs (*An Honourable Member* : "Only for petrol.") only for petrol. I ask, is it right to kill this bird which lays these golden eggs without even an expression of sorrow, because the result of this competition can very well be foreseen ? The question is, why is it that this bus-owner has been able to survive and been able to keep his footing ? The railways are not able to retain their long monopoly and they are coming to the State to help them to be put on the road. Why is it that the bus-owner has been able to get on ? One of the things is that their fares are cheaper, but I will put it, it is something more, it is the great convenience. You start from your place and you get to the other place without having to travel to the railway station, without being hustled about by persons who won't tell you where to get your ticket, without getting into a wrong train, and finding it out after you have travelled some distance. And particularly the goods traffic part of it, the carriage of goods is a luxury by these road motors. You hand your consignment, and within a few hours it gets on to the next place to the man to whom you wanted to send it. There is no pilfering on the way, and there are no risk notes with their troublesomeness and litigation. There is no question of delay. It is expedition itself. If that is so, then the point before us is, why is it that it is considered necessary to arm the railway service with power to be on the road ? I say the roads have taken care of themselves, the public whose ultimate interest should be our guide have taken to the road buses. If they want the road bus, then certainly the railways should manipulate their own policy in such a way that they win the favour of the public. This is unfair. If the public are the ultimate judge of these matters, then I must say that this is an attempt to divert the choice of the public. Mr. Lahiri Chaudhury came forward with a suggestion—he said that he was bring-

ing an independent mind to bear on the subject and he wanted to look at the thing on its merits. He said that agriculture will prosper. I do not see how it can do that. If the agriculturist is to prosper, he must prosper by his *ekku* and bullock cart, and not by these buses which the railways will put on the road, because, if the railways have thought of putting on these bus services in undeveloped areas, in rural areas where there was no bus service before, then, of course, the Bill would be the best of all measures. But that is not the point. The railways are pinched, they are suffering loss of earnings due to competition on the road parallel to their lines or reaching their lines. That is not the agricultural place where Mr. Lahiri Chaudhury wants the buses to be. It is wholly beside the point to think that the railways are going to open up by their bus service those areas which will lead to any prosperity for agriculturists or will develop agricultural resources. The railways have opened up areas, but these bus services of theirs are not intended to do anything of the kind which my Honourable friend spoke of. They are simply to keep up the earnings of the railways.

The question is, how is the situation to be met? If the public wants to patronise the bus service, is it fair to give to the railways, who are a competing agency, an unfair advantage in this connection? They have a monopoly of one track and they want to exercise the right of running on this track with all the resources of capital and organisation that they have. Now, Sir, it may be said, "Oh, yes. With private buses there are alarming accidents. There is no schedule of rates, and so on". The answer to that is, do not kill them. They have served a useful purpose. The best thing to do is to have a board of traffic control. You have some kind of traffic control at the present time, and if you want more facilities, if you want to have this thing organised, insist on the Honourable Member for Industries and Labour whose Department it is,—and he is unfortunately too close to the Railway Member (Laughter)—to constitute these bodies. An Honourable Member put it, this alliance between the two Departments is an alarming proposition. If the Honourable Member had been looking after roads, he should have developed motor transport, and framed rules which should prescribe for safety and punctuality of the service. Private enterprise has developed road motor to such an extent that the railway magnates have got frightened, but this is not the time for the road buses to receive a kick. This motion for circulating the Bill again for eliciting public opinion has something behind it for this reason. Those people who are affected by it are unorganised; they had not perhaps had sufficient opportunity to digest this mass of material which an official agency has brought into existence after consultation with various interests, official and non-official, and the results of these various Conferences. Besides, Sir, we are having another railway administration coming into existence, the Statutory Railway Board will come into existence under the new Constitution, and if the danger to the railways is of such a great magnitude that they are on the point of starving, certainly some more remedy is needed than an attempt to kill this private bus-owner on the road. Now, my learned friend said: "Oh, well, this private bus-owner has been able to survive, even though there has been great competition in Calcutta", and so on. If my friend will pardon my saying so, he is used to get into the bus, but he seems to know precious little about the bus driver or the bus-owner and that for a very good reason. All that I am referring to is that in his place in

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Calcutta the bus-owner comes from another place than Calcutta. My province supplies the bus-owners in Calcutta, and, therefore, it is just as well that Mr. Lahiri Chaudhury, with his tongue in his cheek, should try to inflict a blow on these Punjabis whom he perhaps wants to clear out of Calcutta. Therefore, I hope that Mr. Hoon will think twice before falling into the trap of Mr. Mitra and Mr. Lahiri Chaudhury. They want to deal a lefthander to the Punjabi and they do not seem to have much love for these bus-owners and bus drivers on the roads of Calcutta. Some of the opinions on this subject have been read by my friend. One of them is very interesting and I venture to place it before you. It says :

“ The Government of Madras understand that the Corporations of Calcutta and Bombay and the Madras Electric Tramways Company have tried the experiment of running their own buses and have lost heavily. If so, these examples do not encourage the hope that the Railways will be able to make this bus enterprise a paying proposition.”

I make a present of it to the railway magnates. It is just as well that they run their service, but what is the point of coming and competing with another man who is also pursuing his vocation unostentatiously on the King's highway, on which every man has a right to travel. The railway people have a monopoly on their track and let them stick to it.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 29th August, 1933.